United Nations A/54/38 (Part I)

General Assembly

Distr.: General
4 May 1999

Original: English

Fifty-fourth session

Report of the Committee on the Elimination of Discrimination against Women*

Twentieth session

* The present document is the report of the Committee on the Elimination of Discrimination against Women on the work of its twentieth session. The final report will be issued as *Official Records of the General Assembly, Fifty-fourth Session, Supplement No. 38* (A/54/38) and will include the report of the Committee on its twenty-first session (A/54/38 (Part II)).

99-12728 (E) 080699

Contents

Chapter		*Paragraphs*	*Page*
	Letter of transmittal		4
I.	Matters brought to the attention of States parties		5
	A. General recommendation 24 (twentieth session)		5
	B. Decisions		9
	Decision 20/1		9
II.	Organizational and other matters	1–25	10
	A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women	1–2	10
	B. Opening of the session	3–12	10
	C. Attendance	13–14	11
	D. Solemn declaration	15	11
	E. Election of officers	16	11
	F. Adoption of the agenda and organization of work	17	11
	G. Report of the pre-session working group	18–21	12
	H. Composition and organization of work of the working groups	22–25	12
III.	Report of the Chairperson on the activities undertaken between the nineteenth and twentieth sessions of the Committee	26–38	12
IV.	Consideration of reports submitted by States parties under article 18 of the Convention	39–401	14
	A. Introduction	39–40	14
	B. Consideration of reports of States parties	41–401	14
	1. Initial reports	41–171	14
	Algeria	41–94	14
	Kyrgzstan	95–142	18
	Liechtenstein	143–171	21
	2. Combined second and third periodic reports	172–250	23
	Greece	172–212	23
	Thailand	213–250	26

	3. Third and fourth periodic reports	251–336	29
	China	251–336	29
	4. Fourth periodic reports	337–401	36
	Colombia	337–401	36
V.	Ways and means of expediting the work of the Committee	402–429	41
	Action taken by the Committee on the report of Working Group I	404–429	41
VI.	Implementation of article 21 of the Convention	430–436	45
	Action taken by the Committee on the report of Working Group II	432–436	45
VII.	Provisional agenda for the twenty-first session	437	45
VIII.	Adoption of the report	438	46

Letter of transmittal

20 April 1999

Sir,

I have the honour to refer to article 21 of the Convention on the Elimination of All Forms of Discrimination against Women, according to which the Committee on the Elimination of Discrimination against Women, established pursuant to the Convention, "shall, through the Economic and Social Council, report annually to the General Assembly of the United Nations on its activities".

The Committee on the Elimination of Discrimination against Women held its twentieth session from 19 January to 5 February 1999 at United Nations Headquarters. It adopted its report on the session at its 424th meeting, on 5 February 1999. The report of the Committee is herewith submitted to you for transmission to the General Assembly at its fifty-fourth session.

Accept, Sir, the assurances of my highest consideration.

(Signed) Aida **Gonzalez**
Chairperson
Committee on the Elimination of Discrimination against Women

His Excellency Mr. Kofi Annan
Secretary-General of the United Nations
New York

Chapter I
Matters brought to the attention of States parties

A. General recommendation 24 (twentieth session)

Article 12 of the Convention on the Elimination of All Forms of Discrimination against Women — women and health

1. The Committee on the Elimination of Discrimination against Women, affirming that access to health care, including reproductive health, is a basic right under the Convention on the Elimination of All Forms of Discrimination against Women, decided at its twentieth session, pursuant to article 21, to elaborate a general recommendation on article 12 of the Convention.

Background

2. States parties' compliance with article 12 of the Convention is central to the health and well-being of women. It requires States to eliminate discrimination against women in their access to health-care services throughout the life cycle, particularly in the areas of family planning, pregnancy and confinement and during the post-natal period. The examination of reports submitted by States parties pursuant to article 18 of the Convention demonstrates that women's health is an issue that is recognized as a central concern in promoting the health and well-being of women. For the benefit of States parties and those who have a particular interest in and concern with the issues surrounding women's health, the present general recommendation seeks to elaborate the Committee's understanding of article 12 and to address measures to eliminate discrimination in order to realize the right of women to the highest attainable standard of health.

3. Recent United Nations world conferences have also considered these objectives. In preparing this general recommendation, the Committee has taken into account relevant programmes of action adopted at United Nations world conferences and, in particular, those of the 1993 World Conference on Human Rights, the 1994 International Conference on Population and Development and the 1995 Fourth World Conference on Women. The Committee has also noted the work of the World Health Organization (WHO), the United Nations Population Fund (UNFPA) and other United Nations bodies. It has collaborated with a large number of non-governmental organizations with a special expertise in women's health in preparing this general recommendation.

4. The Committee notes the emphasis that other United Nations instruments place on the right to health and to the conditions that enable good health to be achieved. Among such instruments are the Universal Declaration of Human Rights, the International Covenant on Economic, Social and Cultural Rights, the International Covenant on Civil and Political Rights, the Convention on the Rights of the Child and the Convention on the Elimination of All Forms of Racial Discrimination.

5. The Committee refers also to its earlier general recommendations on female circumcision, human immunodeficiency virus/acquired immunodeficiency syndrome (HIV/AIDS), disabled women, violence against women and equality in family relations, all of which refer to issues that are integral to full compliance with article 12 of the Convention.

6. While biological differences between women and men may lead to differences in health status, there are societal factors that are determinative of the health status of women and men and can vary among women themselves. For that reason, special attention should be given to the health needs and rights of women belonging to vulnerable and disadvantaged groups, such as migrant women, refugee and internally displaced women, the girl child and older women, women in prostitution, indigenous women and women with physical or mental disabilities.

7. The Committee notes that the full realization of women's right to health can be achieved only when States parties fulfil their obligation to respect, protect and promote women's fundamental human right to nutritional well-being throughout their lifespan by means of a food supply that is safe, nutritious and adapted to local conditions. To this end, States parties should take steps to facilitate physical and economic access to productive resources, especially for rural women, and to otherwise ensure that the special nutritional needs of all women within their jurisdiction are met.

Article 12

8. Article 12 reads as follows:

> "1. States Parties shall take all appropriate measures to eliminate discrimination against women in the field of health care in order to ensure, on a basis of equality of men and women, access to health-care services, including those related to family planning.

> "2. Notwithstanding the provisions of paragraph 1 of this article, States Parties shall ensure to women appropriate services in connection with pregnancy, confinement and the post-natal period, granting free services where necessary, as well as adequate nutrition during pregnancy and lactation."

States parties are encouraged to address the issue of women's health throughout the woman's lifespan. For the purposes of the present general recommendation, therefore, "women" includes girls and adolescents. The general recommendation will set out the Committee's analysis of the key elements of article 12.

Key elements

Article 12 (1)

9. States parties are in the best position to report on the most critical health issues affecting women in that country. Therefore, in order to enable the Committee to evaluate whether measures to eliminate discrimination against women in the field of health care are appropriate, States parties must report on their health legislation, plans and policies for women with reliable data disaggregated by sex on the incidence and severity of diseases and conditions hazardous to women's health and nutrition and on the availability and cost-effectiveness of preventive and curative measures. Reports to the Committee must demonstrate that health legislation, plans and policies are based on scientific and ethical research and assessment of the health status and needs of women in that country and take into account any ethnic, regional or community variations or practices based on religion, tradition or culture.

10. States parties are encouraged to include in their reports information on diseases, health conditions and conditions hazardous to health that affect women or certain groups of women differently from men, as well as information on possible intervention in this regard.

11. Measures to eliminate discrimination against women are considered to be inappropriate if a health-care system lacks services to prevent, detect and treat illnesses specific to women. It is discriminatory for a State party to refuse to provide legally for the performance of certain reproductive health services for women. For instance, if health service providers refuse to perform such services based on conscientious objection, measures should be introduced to ensure that women are referred to alternative health providers.

12. States parties should report on their understanding of how policies and measures on health care address the health rights of women from the perspective of women's nee interests and how it addresses distinctive features and f that differ for women in comparison to men, such as:

(a) Biological factors that differ for wom comparison with men, such as their menstrual cycle, reproductive function and menopause. Another exam the higher risk of exposure to sexually transmitted dis that women face;

(b) Socio-economic factors that vary for wor general and some groups of women in particular example, unequal power relationships between wome men in the home and workplace may negatively women's nutrition and health. They may also be expos different forms of violence which can affect their health children and adolescent girls are often vulnerable to s abuse by older men and family members, placing th risk of physical and psychological harm and unwante early pregnancy. Some cultural or traditional practices as female genital mutilation also carry a high risk of and disability;

(c) Psychosocial factors that vary between w and men include depression in general and post-p depression in particular as well as other psychol conditions, such as those that lead to eating disorders as anorexia and bulimia;

(d) While lack of respect for the confidential patients will affect both men and women, it may women from seeking advice and treatment and th adversely affect their health and well-being. Women w less willing, for that reason, to seek medical care for dis of the genital tract, for contraception or for incon abortion and in cases where they have suffered sexu physical violence.

13. The duty of States parties to ensure, on a ba equality of men and women, access to health-care ser information and education implies an obligation to re protect and fulfil women's rights to health care. parties have the responsibility to ensure that legislatio executive action and policy comply with these obligations. They must also put in place a system ensures effective judicial action. Failure to do so constitute a violation of article 12.

14. The obligation to respect rights requires States p to refrain from obstructing action taken by women in p of their health goals. States parties should report on public and private health-care providers meet their dut respect women's rights to have access to health care example, States parties should not restrict women's a

to health services or to the clinics that provide those services on the ground that women do not have the authorization of husbands, partners, parents or health authorities, because they are unmarried[1] or because they are women. Other barriers to women's access to appropriate health care include laws that criminalize medical procedures only needed by women and that punish women who undergo those procedures.

15. The obligation to protect rights relating to women's health requires States parties, their agents and officials to take action to prevent and impose sanctions for violations of rights by private persons and organizations. Since gender-based violence is a critical health issue for women, States parties should ensure:

(a) The enactment and effective enforcement of laws and the formulation of policies, including health-care protocols and hospital procedures to address violence against women and sexual abuse of girl children and the provision of appropriate health services;

(b) Gender-sensitive training to enable health-care workers to detect and manage the health consequences of gender-based violence;

(c) Fair and protective procedures for hearing complaints and imposing appropriate sanctions on health-care professionals guilty of sexual abuse of women patients;

(d) The enactment and effective enforcement of laws that prohibit female genital mutilation and marriage of girl children.

16. States parties should ensure that adequate protection and health services, including trauma treatment and counselling, are provided for women in especially difficult circumstances, such as those trapped in situations of armed conflict and women refugees.

17. The duty to fulfil rights places an obligation on States parties to take appropriate legislative, judicial, administrative, budgetary, economic and other measures to the maximum extent of their available resources to ensure that women realize their rights to health care. Studies such as those that emphasize the high maternal mortality and morbidity rates worldwide and the large numbers of couples who would like to limit their family size but lack access to or do not use any form of contraception provide an important indication for States parties of possible breaches of their duties to ensure women's access to health care. The Committee asks States parties to report on what they have done to address the magnitude of women's ill-health, in particular when it arises from preventable conditions, such as tuberculosis and HIV/AIDS. The Committee is concerned about the growing evidence that States are relinquishing these obligations as they transfer State health functions to private agencies. States parties cannot absolve themselves of responsibility in these areas by delegating or transferring these powers to private sector agencies. States parties should therefore report on what they have done to organize governmental processes and all structures through which public power is exercised to promote and protect women's health. They should include information on positive measures taken to curb violations of women's rights by third parties and to protect their health and the measures they have taken to ensure the provision of such services.

18. The issues of HIV/AIDS and other sexually transmitted diseases are central to the rights of women and adolescent girls to sexual health. Adolescent girls and women in many countries lack adequate access to information and services necessary to ensure sexual health. As a consequence of unequal power relations based on gender, women and adolescent girls are often unable to refuse sex or insist on safe and responsible sex practices. Harmful traditional practices, such as female genital mutilation, polygamy, as well as marital rape, may also expose girls and women to the risk of contracting HIV/AIDS and other sexually transmitted diseases. Women in prostitution are also particularly vulnerable to these diseases. States parties should ensure, without prejudice or discrimination, the right to sexual health information, education and services for all women and girls, including those who have been trafficked, even if they are not legally resident in the country. In particular, States parties should ensure the rights of female and male adolescents to sexual and reproductive health education by properly trained personnel in specially designed programmes that respect their right to privacy and confidentiality.

19. In their reports, States parties should identify the test by which they assess whether women have access to health care on a basis of equality of men and women in order to demonstrate compliance with article 12. In applying these tests, States parties should bear in mind the provisions of article 1 of the Convention. Reports should therefore include comments on the impact that health policies, procedures, laws and protocols have on women when compared with men.

20. Women have the right to be fully informed, by properly trained personnel, of their options in agreeing to treatment or research, including likely benefits and potential

[1] *Official Records of the General Assembly, Forty-ninth Session, Supplement No. 38* (A/49/38), chap. I, sect. A, General recommendation 21, para. 29.

adverse effects of proposed procedures and available alternatives.

21. States parties should report on measures taken to eliminate barriers that women face in access to health-care services and what measures they have taken to ensure women timely and affordable access to such services. Barriers include requirements or conditions that prejudice women's access, such as high fees for health-care services, the requirement for preliminary authorization by spouse, parent or hospital authorities, distance from health facilities and the absence of convenient and affordable public transport.

22. States parties should also report on measures taken to ensure access to quality health-care services, for example, by making them acceptable to women. Acceptable services are those that are delivered in a way that ensures that a woman gives her fully informed consent, respects her dignity, guarantees her confidentiality and is sensitive to her needs and perspectives. States parties should not permit forms of coercion, such as non-consensual sterilization, mandatory testing for sexually transmitted diseases or mandatory pregnancy testing as a condition of employment that violate women's rights to informed consent and dignity.

23. In their reports, States parties should state what measures they have taken to ensure timely access to the range of services that are related to family planning, in particular, and to sexual and reproductive health in general. Particular attention should be paid to the health education of adolescents, including information and counselling on all methods of family planning.[2]

24. The Committee is concerned about the conditions of health-care services for older women, not only because women often live longer than men and are more likely than men to suffer from disabling and degenerative chronic diseases, such as osteoporosis and dementia, but because they often have the responsibility for their ageing spouses. Therefore, States parties should take appropriate measures to ensure the access of older women to health services that address the handicaps and disabilities associated with ageing.

25. Women with disabilities, of all ages, often have difficulty with physical access to health services. Women with mental disabilities are particularly vulnerable, while there is limited understanding, in general, of the broad range of risks to mental health to which women are disproportionately susceptible as a result of gender discrimination, violence, poverty, armed conflict, dislocation and other forms of social deprivation. States parties should take appropriate measures to ensure that health services are sensitive to the needs of women with disabilities and are respectful of their human rights and dignity.

Article 12 (2)

26. Reports should also include what measures States parties have taken to ensure women appropriate services in connection with pregnancy, confinement and the post-natal period. Information on the rates at which these measures have reduced maternal mortality and morbidity in their countries, in general, and in vulnerable groups, regions and communities, in particular, should also be included.

27. States parties should include in their reports how they supply free services where necessary to ensure safe pregnancies, childbirth and post-partum periods for women. Many women are at risk of death or disability from pregnancy-related causes because they lack the funds to obtain or access the necessary services, which include ante-natal, maternity and post-natal services. The Committee notes that it is the duty of States parties to ensure women's right to safe motherhood and emergency obstetric services and they should allocate to these services the maximum extent of available resources.

Other relevant articles in the Convention

28. When reporting on measures taken to comply with article 12, States parties are urged to recognize its interconnection with other articles in the Convention that have a bearing on women's health. Those articles include article 5 (b), which requires States parties to ensure that family education includes a proper understanding of maternity as a social function; article 10, which requires States parties to ensure equal access to education, thus enabling women to access health care more readily and reducing female student drop-out rates, which are often a result of premature pregnancy; article 10 (h), which requires that States parties provide to women and girls access to specific educational information to help ensure the health and well-being of families, including information and advice on family planning; article 11, which is concerned, in part, with the protection of women's health and safety in working conditions, including the safeguarding of the reproductive function, special protection from harmful types of work during pregnancy and with the provision of paid maternity leave; article 14, paragraph 2 (b), which requires States

[2] Health education for adolescents should further address, *inter alia*, gender equality, violence, prevention of sexually transmitted diseases and reproductive and sexual health rights.

parties to ensure access for rural women to adequate health-care facilities, including information, counselling and services in family planning, and (h), which obliges States parties to take all appropriate measures to ensure adequate living conditions, particularly housing, sanitation, electricity and water supply, transport and communications, all of which are critical for the prevention of disease and the promotion of good health care; and article 16, paragraph 1 (e), which requires States parties to ensure that women have the same rights as men to decide freely and responsibly on the number and spacing of their children and to have access to the information, education and means to enable them to exercise those rights. Article 16, paragraph 2 proscribes the betrothal and marriage of children, an important factor in preventing the physical and emotional harm which arise from early childbirth.

Recommendations for government action

29. States parties should implement a comprehensive national strategy to promote women's health throughout their lifespan. This will include interventions aimed at both the prevention and treatment of diseases and conditions affecting women, as well as responding to violence against women, and will ensure universal access for all women to a full range of high-quality and affordable health care, including sexual and reproductive health services.

30. States parties should allocate adequate budgetary, human and administrative resources to ensure that women's health receives a share of the overall health budget comparable with that for men's health, taking into account their different health needs.

31. States parties should also, in particular:

(a) Place a gender perspective at the centre of all policies and programmes affecting women's health and should involve women in the planning, implementation and monitoring of such policies and programmes and in the provision of health services to women;

(b) Ensure the removal of all barriers to women's access to health services, education and information, including in the area of sexual and reproductive health, and, in particular, allocate resources for programmes directed at adolescents for the prevention and treatment of sexually transmitted diseases, including HIV/AIDS;

(c) Prioritize the prevention of unwanted pregnancy through family planning and sex education and reduce maternal mortality rates through safe motherhood services and prenatal assistance. When possible, legislation criminalizing abortion should be amended, in order to withdraw punitive measures imposed on women who undergo abortion;

(d) Monitor the provision of health services to women by public, non-governmental and private organizations, to ensure equal access and quality of care;

(e) Require all health services to be consistent with the human rights of women, including the rights to autonomy, privacy, confidentiality, informed consent and choice;

(f) Ensure that the training curricula of health workers includes comprehensive, mandatory, gender-sensitive courses on women's health and human rights, in particular gender-based violence.

B. Decisions

Decision 20/1. Non-governmental organizations

Recalling its decisions 18/1 and 18/11, adopted at its eighteenth session, the Committee on the Elimination of Discrimination against Women decided that representatives of national and international non-governmental organizations should be invited to provide country-specific information on States parties whose reports are before the Committee in an informal meeting of the Working Group of the Whole.

Chapter II
Organizational and other matters

A. States parties to the Convention on the Elimination of All Forms of Discrimination against Women

1. On 5 February 1999, the closing date of the twentieth session of the Committee on the Elimination of Discrimination against Women, there were 163 States parties to the Convention on the Elimination of All Forms of Discrimination against Women, which was adopted by the General Assembly in its resolution 34/180 of 18 December 1979 and opened for signature, ratification and accession in New York in March 1980. In accordance with article 27, the Convention entered into force on 3 September 1981.

2. A list of States parties to the Convention will be contained in annex I to Part Two of the 1999 report of the Committee (A/54/38 (Part II)). A list of States parties which have accepted the amendment to article 20 (1) of the Convention will be contained in annex II to the same report.

B. Opening of the session

3. The Committee held its twentieth session at United Nations Headquarters from 19 January to 5 February 1999. The Committee held 21 plenary meetings (404th–424th), and its working groups held 16 meetings.

4. The session was opened by the Chairperson of the Committee, Salma Khan (Bangladesh), who had been elected at the sixteenth session of the Committee in January 1997.

5. Speaking on behalf of the Secretary-General, the Deputy Director of the Division for the Advancement of Women welcomed the members of the Committee to the twentieth session and congratulated the five new Committee members who had been elected at the tenth meeting of States parties in February 1998 and the four members who had been re-elected at that meeting.

6. The Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and Advancement of Women also welcomed members of the Committee, including the newly elected members, and congratulated those who had been elected by the Committee as its officers. She said that the twentieth session was taking place at the beginning of the year during which the twentieth anniversary of the adoption of the Convention would occur, and suggested that the Committee might wish to reflect on ways to commemorate that important anniversary. She added that 1999 also marked the tenth anniversary of the adoption of the Convention on the Rights of the Child.

7. The Special Adviser indicated that several of the activities of the Division for the Advancement of Women since the nineteenth session had contributed to the growing visibility of the Convention and the Committee. Those included the preparation of a study analysing what the various treaty bodies had done and should do to integrate a gender perspective into their work, which included recommendations aimed at increasing cooperation between the Committee and other treaty bodies.

8. From 29 September to 2 October 1998, the Division, in collaboration with the World Health Organization (WHO), the United Nations Population Fund (UNFPA), the Commonwealth Secretariat and the Tunisian Ministry of Women and Family, convened an expert group meeting in Tunisia on women and health. In addition to forming part of the preparations for the forty-third session of the Commission on the Status of Women, which would consider the critical area of women and health, the conclusions of the meeting were relevant to the Committee's ongoing work on its general recommendation on women and health.

9. On behalf of the Inter-Agency Committee on Women and Gender Equality, the Division organized a workshop on a rights-based approach to women's advancement and empowerment and gender equality. An important focus of the workshop, which sought to review and clarify the rights-based approach to gender equality and its implications for policy and operations by bilateral and multilateral entities, was the value of the Convention as a tool for rights-based programming.

10. With the United Nations Children's Fund (UNICEF), the United Nations Development Fund for Women (UNIFEM), International Women's Rights Action Watch and Save the Children, the Division organized an expert consultation on violence in families, which was attended by several members of the Committee. The consultation was followed by a half-day dialogue among several members of the Committee on the Elimination of Discrimination against Women and the Committee on the Rights of the Child, during which proposed joint strategies to address family violence were addressed.

11. The Special Adviser informed the Committee that in its resolution 53/118 of 9 December 1998, the General Assembly had urged States to ratify or accede to the Convention as soon as possible. The Assembly emphasized the importance of full compliance by States parties with their obligations under the Convention, urged States parties to

withdraw or limit any reservations they had lodged to the Convention and invited States parties to give due consideration to the statement regarding reservations to the Convention adopted by the Committee to mark the fiftieth anniversary of the Universal Declaration of Human Rights. The Assembly commended the Committee on its efforts to contribute to the effective implementation of the Convention and for reducing the backlog of reports, including through improved internal methods of work. It encouraged strengthened coordination between the Committee and other human rights treaty bodies and invited the Committee to draw up joint general comments with other treaty bodies, within their respective mandates, on the universality, indivisibility, interdependence and interrelatedness of human rights.

12. The Special Adviser informed the Committee that in December 1998 Djibouti had become the one hundred sixty-third State party to the Convention. She noted that although the number of States parties to the Convention was gratifying, imaginative strategies and concerted efforts were required to reach the target of universal ratification by 2000 established by the Beijing Platform for Action of the Fourth World Conference on Women. In that regard, she indicated that at their tenth meeting, the persons chairing the human rights treaty bodies had recommended the development of a comprehensive action programme to promote universal ratification of the six core human rights treaties.

C. Attendance

13. All members of the Committee attended the twentieth session, with the exception of Carlota Bustelo, Silvia Cartwright and Kongit Sinegiorgis. Anne Lise Ryel attended from 25 January to 3 February 1999; Ahoua Ouedraogo attended from 19 to 29 January 1999; Rosario Manalo attended from 19 January to 2 February 1999; and Mavivi Myakayaka-Manzini attended from 19 January to 2 February 1999.

14. A list of the members of the Committee, indicating their terms of office, will appear in annex III to Part Two of the 1999 report of the Committee (A/54/38 (Part II)).

D. Solemn declaration

15. At the opening of the twentieth session, before assuming their functions, the newly elected members, Charlotte Abaka (Ghana), Ivanka Corti (Italy), Feng Cui (China), Naela Gabr (Egypt), Savitri Goonesekere (Sri Lanka), Rosalyn Hazelle (Saint Kitts and Nevis), Rosario Manalo (Philippines), Mavivi Myakayaka-Manzini (South Africa), Zelmira Regazzoli (Argentina), Carmel Shalev (Israel) and Chikako Taya (Japan), made the solemn declaration as provided for under rule 10 of the rules of procedure of the Committee.

E. Election of officers

16. At its 404th meeting, on 19 January 1999, the Committee elected the following officers for a term of two years (1999–2000) by acclamation, in accordance with article 19 of the Convention and rules 13 and 14 of the Committee's rules of procedure: Aida Gonzalez Martinez (Mexico), Chairperson; Yung-Chung Kim (Republic of Korea), Ahoua Ouedraogo (Burkina Faso) and Hanna Beate Schopp-Schilling (Germany), Vice-Chairpersons; and Ayse Feride Acar (Turkey), Rapporteur.

F. Adoption of the agenda and organization of work

17. The Committee considered the provisional agenda and organization of work (CEDAW/C/1999/I/1) at its 404th meeting, on 19 January 1999. The agenda as adopted was as follows:

1. Opening of the session.
2. Solemn declaration by the new members of the Committee.
3. Election of officers.
4. Adoption of the agenda and organization of work.
5. Report of the Chairperson on the activities undertaken between the nineteenth and twentieth sessions of the Committee.
6. Consideration of the reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.
7. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.
8. Ways and means of expediting the work of the Committee.
9. Provisional agenda for the twenty-first session.

10. Adoption of the report of the Committee on its twentieth session.

G. Report of the pre-session working group

18. The Committee had decided, at its ninth session,[3] to convene a pre-session working group for five days before each session to prepare lists of issues and questions relating to periodic reports that would be considered by the Committee at the session.

19. The following four members, representing different regional groups, participated in the working group: Emna Aouij (Africa), Ivanka Corti (Europe), Yolanda Ferrer Gomez (Latin America and the Caribbean) and Salma Khan (Asia and the Pacific).

20. The working group prepared lists of issues and questions relating to the reports of four States parties, namely China, Colombia, Greece and Thailand.

21. At the 404th meeting, on 19 January 1999, the Chairperson of the pre-session working group introduced the report of the group (CEDAW/C/1999/I/CRP.1 and Add.1–4).

H. Composition and organization of work of the working groups

22. At its 404th meeting, on 19 January 1999, the Committee agreed on the composition of its two standing working groups: Working Group I, to consider ways and means of expediting the work of the Committee, and Working Group II, to consider ways and means of implementing article 21 of the Convention.

23. Working Group I was composed of the following members of the Committee: Ayse Feride Acar, Emna Aouij, Ivanka Corti, Feng Cui, Yolanda Ferrer Gomez, Salma Khan, Yung-Chung Kim, Carmel Shalev, Chikako Taya, Hanna Beate Schopp-Schilling and Zelmira Regazzoli.

24. Working Group II was composed of the following members of the Committee: Charlotte Abaka, Rosalyn Hazelle, Naela Gabr, Savitri Goonesekere, Rosario Manalo, Mavivi Myakayaka-Manzini and Ahoua Ouedraogo.

25. The specific issues addressed by Working Groups I and II were the following:

(a) **Working Group I.** Working methods of the pre-session working group, including the number of issues and questions, analysis provided by the Secretariat and implications of new timing; receipt of reports by experts; relationship between the Committee and other United Nations agencies; matters raised at the tenth meeting of the chairpersons of human rights treaty bodies; universal ratification; focused periodic reports; comments of the Committee on the preliminary statement of Alain Pellet, Rapporteur of the International Law Commission, on reservations; gender perspectives in the work of the United Nations treaty bodies; input into the work of the expert member of the Subcommission on Prevention of Discrimination and Protection of Minorities on reservations; the Committee's report on the implementation of the Beijing Platform for Action prepared for the forty-third session of the Commission on the Status of Women; the Committee's rules of procedure; reports to be considered at the twenty-first, twenty-second and twenty-third sessions of the Committee; and the role of non-governmental organizations;

(b) **Working Group II.** Draft general recommendation on article 12; the Committee's long-term programme of work with regard to general recommendations; publicity for the Committee and the Convention; and the twentieth anniversary of the adoption of the Convention.

Chapter III
Report of the Chairperson on the activities undertaken between the nineteenth and twentieth sessions of the Committee

26. Salma Khan, the outgoing Chairperson of the Committee, welcomed all the Committee members to the twentieth session. She extended her congratulations to the new members elected at the tenth meeting of States parties, stating that they had joined the human rights treaty body responsible for promoting and defending the rights of half of humanity.

27. Ms. Khan indicated that during the inter-sessional period, she had sought to maintain regular contact with the experts, and that had facilitated her work and contributed to the achievement of their common goals.

28. In regard to her activities between the nineteenth and twentieth sessions of the Committee, Ms. Khan reported that she had attended several South Asian regional meetings to

[3] *Official Records of the General Assembly, Forty-fifth Session, Supplement No. 38* and corrigendum (A/45/38 and Corr.1), paras. 28–31.

commemorate the 1995 Fourth World Conference on Women, including a meeting held at Kathmandu, which had sought to develop a regional strategy for implementation of the Beijing Platform for Action and to identify challenges and gaps in that regard.

29. Ms. Khan indicated that she had participated in a commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in Paris from 14 to 16 September 1998. Her statement at that event highlighted the fact that the Declaration had established the equal rights of women and men, a principle elaborated in the Convention on the Elimination of All Forms of Discrimination against Women.

30. Reporting on her attendance at the Third Committee of the General Assembly at its fifty-third session, Ms. Khan noted that several Governments had commended the work of the Committee and its efforts to reinforce the implementation mechanisms of the Convention. Several had welcomed the development of an optional protocol and the statement on reservations adopted at the nineteenth session of the Committee as a contribution to the fiftieth anniversary of the Universal Declaration of Human Rights.

31. Ms. Khan underlined the Committee's growing links with specialized agencies and other bodies of the United Nations and drew attention to the efforts of the United Nations High Commissioner for Human Rights, Mary Robinson, to develop a partnership between her office and the Committee. In this regard, Ms. Khan noted that the High Commissioner had sought inputs from the Committee prior to her recent mission to China and that Mrs. Robinson had provided her with a detailed account of her mission, highlighting progress achieved and challenges in a letter dated 3 December 1998.

32. Ms. Khan reminded the Committee that 18 December 1999 would mark the twentieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women, while 20 November 1999 would mark the tenth anniversary of the Convention on the Rights of the Child. She noted that those anniversaries would provide opportunities to emphasize the importance of international normative instruments in the establishment of full and equal rights for women and girl children.

33. Ms. Khan noted that although the majority of Member States had subscribed to the Convention, the goal of universal ratification set by the Beijing Platform for Action had yet to be reached. On behalf of the Committee, she had written to those countries that had not yet ratified or acceded to the Convention, while the Assistant Secretary-General and Special Adviser to the Secretary-General on Gender Issues and Advancement of Women had also written to the Administrator of the United Nations Development Programme (UNDP), requesting him to encourage Governments to ratify or accede to the Convention. Ms. Khan indicated that she had also requested a number of non-governmental organizations to encourage ratification. As a result of those efforts, several States, including Djibouti, had accepted the Convention.

34. In concluding her remarks, Ms. Khan outlined progress in the Committee's work during the two years of her chairpersonship. She noted that there had been a steady increase in ratification and accession and that the Committee was now meeting twice yearly. It had reviewed the reports of 35 States parties over the period, and positive steps towards *de jure* equality of women had been made. Some States parties had modified or withdrawn their reservations to the Convention, and significant progress had been made in the elaboration of an optional complaints mechanism to the Convention. Working relationships had been established with specialized agencies and other bodies of the United Nations system, as well as non-governmental organizations. She indicated, however, that still more progress was required before women would achieve de facto equality with men. Ms. Khan thanked the members of the Committee for their support during her chairpersonship and paid particular tribute to the outgoing bureau member. She congratulated Aida Gonzalez, the incoming Chairperson, and the other members of the bureau on their election, and wished them well in their future work.

35. In the light of her participation in the commemoration of the fiftieth anniversary of the Universal Declaration of Human Rights in Paris from 14 to 16 September 1998, Ms. Khan had requested Ms. Abaka to attend the tenth meeting of persons chairing human rights treaty bodies.

36. In her report to the Committee, Ms. Abaka indicated that the chairpersons had expressed appreciation for the work of the Subcommission on Prevention of Discrimination and Protection of Minorities, particularly with regard to reservations to human rights treaties and affirmative action. The chairpersons recommended that the expertise of treaty bodies should be drawn upon by the Subcommission with respect to these and future studies. Ms. Abaka noted that the chairpersons had taken note of the Committee's statement on reservations with appreciation.

37. Ms. Abaka indicated that the chairpersons had emphasized the importance of the work of the thematic rapporteurs and the need for close collaboration between them and the treaty bodies. She noted that she had expressed the Committee's disappointment that it had not benefited

from the expertise of the Special Rapporteur on Violence against Women and had reiterated this during the chairpersons' meeting with the United Nations High Commissioner for Human Right..

38. The chairpersons had stressed the importance of publicity for the work of the human rights treaty bodies, and emphasized that concluding comments and observations and general recommendations, as well as other outputs of the treaty bodies, should be made widely known at the national, regional and subregional levels by the United Nations information offices. In addition, they stressed that regional human rights commissions should also be made aware of the work of treaty bodies.

Chapter IV
Consideration of reports submitted by States parties under article 18 of the Convention

A. Introduction

39. At its twentieth session, the Committee considered the reports of seven States parties submitted under article 18 of the Convention: three initial reports; two combined second and third periodic reports; one third and fourth periodic reports; and one fourth periodic report.

40. As decided at its thirteenth session, in 1994, the Committee prepared concluding comments on each report considered. The Committee's concluding comments on the reports of States parties, as prepared by the members of the Committee, and a summary of the introductory presentation by the representatives of the States parties are provided below.

B. Consideration of reports of States parties

1. Initial reports

Algeria

41. The Committee considered the initial report of Algeria (CEDAW/C/DZA/1 and Corr.1 and Add.1) at its 406th, 407th and 412th meetings, on 21 and 26 January 1999 (see CEDAW/C/SR.406, 407 and 412).

Introduction by the State party

42. In introducing the report, the representative of Algeria underlined that his country had submitted its initial report only two years after its accession to the Convention, despite the current difficult situation it was facing. That was an indication of the sincere commitment of the Government to human rights and to the advancement of women.

43. The representative noted that Algeria's second Constitution of 1976, proclaimed 13 years after independence, guaranteed for the first time equality before the law. The Constitution of 1989, revised in 1996, reinforced principles of universal human rights, such as freedom of speech and free elections. Article 123 also confirmed the primacy of all international treaties ratified by Algeria over national law, a decision confirmed by the Constitutional Council on 20 August 1998. All civil, penal, administrative and commercial codes conformed to the Constitution and the principles of equality between men and women. However, despite the rapid progress with regard to *de jure* equality, de facto equality had not been achieved because of stereotypical attitudes that existed in society.

44. A number of measures had been taken by public authorities as part of the overall policy on women, in particular after the Fourth World Conference on Women (Beijing, 1995). A permanent committee had been established under the auspices of the Ministry of National Solidarity and Family; and to strengthen the national mechanisms for the advancement of women, a secretariat of State upgraded to a Ministry and headed by a woman Minister acted as a focal point for the advancement of women. The Council for the Preservation and Promotion of the Family and the National Women's Council were created in 1996 and 1997 respectively, to ensure the coherence of all policies for the advancement of women. As part of the implementation of the Beijing Platform for Action, Algeria had adopted a national action plan and recently presented a report on the many actions undertaken since the Fourth World Conference on Women.

45. The representative recalled that Algerian women had already played an active role in the struggle for independence, but stereotypical attitudes, exacerbated by illiteracy, were obstacles to achievement of equality with men. A great number of political parties and non-governmental organizations had emerged since the introduction of a pluralist democracy in 1984, but fundamentalist movements and terrorism threatened advances made, particularly where women were concerned.

46. The representative pointed out that education, which was free, had been decisive in women's emancipation, providing access to employment, medical and social services and breaking down stereotypical attitudes and social obstacles. Certain sectors of employment were now

dominated by women, including the magistrature, education and health.

47. The representative noted that domestic violence against women was considered a severe crime by the Constitution and penal code. Many non-governmental organizations also existed to assist battered women. Several initiatives had been taken to care for victims of rape and abduction, including centres to treat women and children traumatized by terrorist violence.

48. The representative informed the Committee that progress had been achieved with regard to equality in political and public life at the national level, although only a few women had reached decision-making positions. Many women were active, including in leadership positions, in political parties, unions and non-governmental organizations. The reform of voting procedures in 1995, which limited voting by proxy to exceptional situations, returned the right to vote to many women whose guardian or husband had customarily voted on their behalf.

49. The economic crisis affecting Algeria since 1986 had resulted in a decline in jobs and had had a negative impact on the employment of women. Women's participation in the labour force was low and informal work at home was increasing. However, the representative noted that under the current social security system women received specific benefits related to maternity and retirement, including 14 weeks of maternity leave at full pay.

50. Family planning services were an integral part of the health programme and had expanded since 1974. Today 99 per cent of women were aware of methods of family planning, and the fertility rate, in particular among the younger age groups, had been significantly reduced.

51. In concluding his presentation, the representative of Algeria emphasized that the ratification of the Convention on the Elimination of All Forms of Discrimination against Women had to be viewed in the context of the political will to encourage the gradual emancipation of women. Accession to the Convention had raised a debate in the country and although accession was accompanied by reservations, it should be seen as a step towards social and normative developments leading to withdrawal of the reservations. In particular, as a result of the accession to the Convention, the Family Code of 1984 was currently being revised and suggested amendments, which could result in removal of reservations, had emerged, as a result both of claims by women's groups and of the evolution of Algerian society.

Concluding comments of the Committee

Introduction

52. The Committee congratulates the Government of Algeria on the excellent presentation of its initial report, which is in accordance with the Committee's guidelines. The fact that the Government of Algeria submitted its initial report only two years after it acceded to the Convention and notwithstanding the difficult circumstances the country is experiencing, testifies to its political will to improve the status of women and its interest in their emancipation.

53. The Committee congratulates the Government for the high level and large size of its delegation, headed by the Permanent Representative to the United Nations, which established a constructive, open and sincere dialogue with members of the Committee, and in its oral presentation gave additional specific and objective information as well as statistical data enabling the Committee to understand the *de jure* and de facto situation of Algerian women.

54. The Committee expresses its solidarity with the struggle of Algerian women against all forms of fundamentalism and terrorism. Notwithstanding the extreme violence they have endured, they have managed, with the help of a very active community organization, to put respect for the rights of women and revision of the Family Code high on the national political agenda.

Positive aspects

55. The Committee welcomes the willingness of the Government of Algeria to review reservations to the Convention in the light of the evolution of Algerian society.

56. The Committee notes with satisfaction that the 1996 Algerian Constitution, which gives international treaties, including the Convention, which have been ratified and gazetted, primacy over domestic law.

57. The Committee notes that the Algerian Constitution guarantees equality between men and women in all spheres of life.

58. The Committee notes with satisfaction that the ratification of the Convention has had a positive impact on the lives of Algerian women and Algerian society. Institutional measures, including the establishment of a National Women's Council, a Council for the Preservation and Promotion of the Family and a ministerial department responsible for national solidarity and the family, have also been taken by the Government. This department, which is headed by a woman, is the focal point for all activities undertaken in the areas of the advancement of women and

family affairs. The Committee notes that the Government is also considering legal measures, including the amendment of the Family Code.

59. The Committee welcomes the efforts of the Algerian women's non-governmental organizations in raising public awareness and fostering the interest of the Government and legislators in women's issues. The invaluable contribution of women's non-governmental organizations to the elaboration of the Family Code is also commended.

60. The Committee notes with satisfaction that Algerian labour legislation contains specific provisions relating to maternity leave and breastfeeding breaks that protect women from discrimination because of their parental responsibilities.

61. The Committee recognizes the steps taken by the State party with respect to victims of terrorist violence through provision of treatment centres for victims, the establishment of a national intersectoral programme to address the needs of those traumatized by terrorist violence, as well as the provision of compensation for the beneficiaries of victims who have died, for persons who have suffered bodily and material injuries and for victims of accidents occurring within the context of terrorist violence. The Committee also notes the work of community organizations in providing psychological and other assistance for such victims.

62. The Committee welcomes the elimination of proxy votes which had enabled a husband to vote in place of his wife.

63. The Committee noted with satisfaction that women have access without *de jure* discrimination to public and political life and are well represented in these spheres. It notes with satisfaction the large number of women at all levels of the judiciary, and that more than a quarter of the judges are women.

64. The Committee notes with satisfaction that the numerous specific measures taken by the Government to give women equal access to education and training have been a decisive factor in the emancipation of women.

65. The Committee notes with satisfaction that women's health is identified as a priority in the country's health policies and programmes.

Factors impeding implementation of the Convention

66. The Committee notes that the emergence of fundamentalism and the terrorist violence that accompanies it have affected all layers of society, including women and children, and have impeded effective implementation of the Convention.

67. The Committee also notes that the reservations of the State party to articles 2, 9, paragraph 2, 15, paragraph 4, and 16 are obstacles to the Convention's full implementation.

68. The Committee notes that, although the Constitution guarantees the equality of men and women and provides that the Convention prevails over national legislation, the numerous discriminatory provisions of the Family Code and the persistence of prejudice and patriarchal practices conflict de facto with the principles of the Convention.

Principal areas of concern and recommendations

69. The Committee reiterates its concern at the reservations to the Convention entered by the State party.

70. The Committee urges the State party to expedite the steps necessary for withdrawal of its reservations.

71. The Committee is concerned by the State party's constant citing of religious principles and cultural specificities to justify why the status of women has not kept up with the overall advances of society.

72. The Committee recommends that the State party take measures to ensure that religious and cultural patterns do not inhibit the development of women's position in Algerian society.

73. The Committee is concerned by the social constraints that exist within Algerian society which keep women in a lower status than men and are not conducive to the elimination of all forms of discrimination against women.

74. The Committee urges the Government to continue its efforts to repeal inegalitarian laws in order to bring its legislation into line with the provisions of the Convention. The Committee also urges the Government, non-governmental organizations, intellectuals and the mass media to encourage enlightened attitudes and accelerate women's emancipation through publicity and public awareness campaigns.

75. The Committee notes with concern the persistence of cultural stereotypes and patriarchal values as well as polygamy, which violate women's rights.

76. Noting the Government's intention to introduce legislative changes to implement the Convention, the Committee recommends development and implementation of a legal literacy strategy and training for all levels of society in order to address discriminatory cultural norms and attitudes.

77. The Committee is deeply concerned by the large number of women murdered, raped, abducted and subjected to serious physical abuse by terrorist groups in recent years.

78. The Committee calls upon the Government to protect women in accordance with the provision of the Constitution that states that the State is responsible for the safety of persons and property. The Committee recommends that better care be taken of all women and girls who are victims of terrorist violence.

79. The Committee is concerned by the absence of legal texts that specifically protect women who are victims of domestic and sexual violence.

80. The Committee recommends to the Government that it take specific legislative and structural steps to shelter women from such attacks and provide women who are victims of violence with comfort, assistance, advice, guidance and information concerning legal redress. The Committee also recommends that education and awareness training on domestic and sexual violence be made available to police officers, judges, doctors and the mass media to make their intervention more effective.

81. The Committee is concerned by the situation of wives of disappeared persons who can neither legally prove that their husbands are dead, owing to the length and difficulty of the procedure, nor enjoy their status as married women. This results in human and material injuries to these women and their children.

82. The Committee calls upon the Government of Algeria to help this group of women and their families by simplifying, even on a temporary basis, the legal procedure for certification of death so that they can clarify their status, obtain custody of their children and legally dispose of property to which they are entitled.

83. The Committee is concerned by the fact that mothers cannot transmit their nationality to their children in the same way that fathers can. Citizenship is a fundamental right which men and women must be able to enjoy equally.

84. The Committee recommends the revision of legislation governing nationality in order to make it consistent with the provisions of the Convention.

85. Noting the significant progress that has been made in regard to women's education and the enrolment of girls in schools in rural and urban areas, the Committee is concerned that the reform of the Algerian educational system has not been completed.

86. The Committee recommends that the Algerian Government continue its revision of both curricula and textbooks to rid them of stereotypes and negative images of women in order to help change attitudes more quickly and to remove obstacles to equality. The Committee recommends that the State party ensure that women teachers and women's non-governmental organizations are consulted in the rewriting of textbooks.

87. The Committee is concerned at the low rate of participation of women in the workplace, which poses a major problem for women's economic independence.

88. The Committee recommends that article 4, paragraph 1, of the Convention be implemented through temporary incentives with quantitative targets aimed at increasing women's employment in both the public and private sectors. The Committee recommends the creation of child-care centres and kindergartens in sufficient numbers to allow women to reconcile their family and professional responsibilities. The Committee also recommends that unemployed women be required to participate in traineeships and retraining programmes, including in non-traditional areas, and benefit from job-creation measures to a degree proportional to the unemployment rate for women.

89. The Committee is concerned that the information contained in the report on rural women and the benefits they obtained from rural development efforts was insufficient.

90. The Committee encourages the Government to pay due attention to the needs of rural women by reinforcing their active and participatory role in the formulation, implementation and monitoring of policies and programmes that affect them, particularly in the areas of housing credit, income-generating projects and social security.

91. The Committee is seriously concerned by the fact that the Family Code still contains many discriminatory provisions which deny Algerian women their basic rights, such as free consent to marriage, equal rights to divorce, sharing of family and child-rearing responsibilities, shared child custody rights with fathers, the right to dignity and self-respect and, above all, the elimination of polygamy.

92. The Committee urges the Government to consider the proposed amendments that modify some of the provisions of the Family Code to be an initial step in the process that needs to be undertaken to harmonize the provisions of the Family Code with the text of the Convention and with the principle of equality that is set out in the Algerian Constitution.

93. The Committee requests the Government of Algeria to provide information addressing the concerns raised in these concluding comments in its next periodic report required under article 18 of the Convention.

94. The Committee requests that its conclusions be broadly disseminated in Algeria to make the population of the country, and particularly those working in the civil service and in political circles, aware of the measures that have been taken to ensure women's actual equality and of the further measures that are needed in this regard. It also requests the Government of Algeria to continue to disseminate widely, especially to women's and human rights organizations, the text of the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

Kyrgyzstan

95. The Committee considered the initial report of Kyrgyzstan (CEDAW/C/KGZ/1) at its 408th, 409th and 413th meetings, on 22 and 27 January 1999 (see CEDAW/C/SR.408, 409 and 413).

Introduction by the State party

96. In her introduction, the representative of Kyrgyzstan informed the Committee that the initial report had been prepared by a special commission established for that purpose that included governmental and legal officials. The report was also prepared through a process of consultation and participation with non-governmental organizations.

97. The representative described the political, economic and social conditions of the country since its declaration of independence on 31 August 1991. She noted that the current situation was characterized by the transition to a market economy, which had had a negative impact on the situation of women. She highlighted increasing poverty among women, high rates of unemployment, the growth of all forms of violence against women, the decrease of women's participation in decision-making and the lack of equal rights and access to land and credit. She noted that the situation of rural women was exacerbated by limited infrastructure and markets for sale of agricultural products, an increase in domestic violence and difficult working conditions. The representative noted that among the positive factors was the high level of women's education.

98. The representative described the measures and initiatives that had been undertaken by the Government to guarantee the equal rights of women and to ensure their advancement. Twenty-two international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, had been adopted, and the central principles and standards of international law had been reflected in domestic legislation. The curricula of many universities and schools included human rights education.

99. The representative described the role and functions of the newly established Gender Analysis Council. The Council had analysed six laws from a gender perspective and had plans to review more than 20 laws and regulations. As a result of the Council's work, the National Gender Policy Council had been created in the office of the President in July 1998. The Council would monitor the national implementation of international human rights treaties and agreements, including the Convention on the Elimination of All Forms of Discrimination against Women.

100. To accelerate implementation of the Convention, concrete national programmes relating to the economy, education, health care and poverty that are aimed at the advancement of women and the elimination of *de jure* and de facto discrimination against women had been designed and were being implemented.

101. The representative noted that the Fourth World Conference on Women had had a catalytic role in Kyrgyzstan and had been an important factor in the ratification of the Convention. The impact of the Beijing Platform for Action had been positive, and the Government was committed to its implementation. She described the national programme "Ayalzat" for 1996–2000, which constituted the national action plan for the implementation of the Platform and incorporated 11 critical areas of concern as the priorities for women's advancement. She noted that the programme was financed from the national budget.

102. The representative noted that by presidential decree, 1996 had been proclaimed women's year, and in March of that year the State Commission for the Family, Women and Youth had been established. She indicated that, in coordination with regional affiliates, the Commission was responsible for implementing the national action plan in all six regions of the country.

103. The representative indicated that her Government was paying increased attention to collaboration with non-governmental organizations in the elimination of discrimination against women. The representative drew attention to the contribution of non-governmental organizations in various contexts, particularly with regard to violence against women, and acknowledged their important role in establishing crisis centres in all regions of the country.

104. The representative noted the decreasing number of women in decision-making positions, and indicated that

there was debate in relation to the reinstitution of quotas that had existed in the past.

105. The representative concluded with an analysis of experiences and proposals for measures and initiatives to promote the advancement of women in all sectors.

Concluding comments by the Committee

Introduction

106. The Committee expresses its appreciation to the Government of Kyrgyzstan for submitting, in a timely manner, a well-structured and comprehensive initial report. It commends the Government on its comprehensive oral presentation and for the replies to the questions posed by the Committee.

107. The Committee appreciates the high-level delegation, headed by the chairperson of the State Commission for the Family, Women and Youth, which presented the report. It notes that the report described measures taken by the Government to implement the Beijing Platform for Action.

108. The Committee commends Kyrgyzstan for ratifying a large number of international human rights treaties, including the Convention on the Elimination of All Forms of Discrimination against Women, which was ratified, without reservations, during a difficult time of transition to a market economy and of rapid social and political change.

Positive aspects

109. The Committee commends the fact that the texts of the treaties ratified by Kyrgyzstan have been translated into the Kyrgyz language and other languages used in Kyrgyzstan, including Russian and Uzbek. In this context, the Committee expresses its appreciation of the Government's will to implement the Convention. The Committee also commends Kyrgyzstan for integrating the provisions of the ratified treaties into its basic domestic laws, including the criminal code, the civil code, the labour code and the law on protecting consumers' rights. It is also pleased to learn that there are plans to review other laws from a gender perspective.

110. The Committee appreciates the fact that human rights are part of the curriculum of many universities and schools.

Factors and difficulties affecting the implementation of the Convention

111. The Committee views the prevailing conditions of poverty and unemployment as well as the negative effects of rapid social and political change on women to be major impediments to the implementation of the Convention.

112. The persistence of a strong patriarchal culture, which emphasizes traditional roles of women and men, is also seen as a hindrance to the implementation of the Convention.

Principal areas of concern and recommendations

113. The Committee is concerned at the lack of understanding of discrimination against women as a multi-faceted phenomenon that entails indirect and unintentional as well as direct and intentional discrimination. This understanding is a sine qua non of comprehensive analyses and for policy analysis for the effective elimination of discrimination against women in both *de jure* and de facto terms.

114. The Committee recommends that the principle of the equality guaranteed by law should also refer to non-discrimination on the grounds of sex. It also recommends the introduction of a procedure for enforcing rights through effective judicial and other means. Policies, including educational, mass media and awareness-raising campaigns should also be introduced and efforts should be directed at countering both intentional and unintentional discrimination.

115. The Committee expresses concern with regard to the extent and nature of the power of the national machinery, as well as the ambiguity surrounding the relationship between the State Commission and the Ministry. It also notes the inadequacy of the existing budget and personnel for the advancement of women.

116. The Committee recommends enhancing the national machinery by clarifying its functions and the relations between its various organs and the organs of Government, as well as through the allocation of greater budgetary and human resources so as to ensure its effective functioning at the national and regional levels.

117. The Committee also recommends that all national programmes to promote the advancement of women include mechanisms for the assessment of the outcomes of their implementation and the evaluation of their effectiveness and the extent of their outreach.

118. The Committee expresses concern that no efforts have been made to use temporary special measures as envisaged in article 4, paragraph 1, of the Convention to improve the situation of women in various areas; and to ensure women's participation in decision-making bodies and women's employment in non-traditional areas.

119. The Committee recommends the introduction of a broad range of temporary special measures in accordance with article 4, paragraph 1, including quotas, to improve the representation of women in politics and at all levels of decision-making and in non-traditional fields of employment.

120. The Committee is concerned about the prevalence of patriarchal culture and the continuing emphasis on the traditional roles of women exclusively as mothers and wives. The Committee notes with particular concern that the initial report, in referring to the role of man as the breadwinner, may legitimize existing stereotypes.

121. The Committee urges the Government to introduce a range of measures, including comprehensive public education and mass media campaigns, to eliminate traditional stereotypes of the roles of men and women.

122. The Committee is alarmed at the increase in all forms of violence against women, including gang rape. The Committee is also concerned that the emphasis of the initial report is on sexual violence rather than on gender-based violence as an infringement of the right to personal security.

123. The Committee recommends that all forms of gender-based violence be a focus of serious concern. It recommends the enhancement of comprehensive measures to prevent violence and to support women victims, including gender-sensitization and the training of law enforcement officials. It recommends the collection of comprehensive sex-disaggregated data and information on the issue of violence against women. In the light of the linkage of violence with poverty, the Committee recommends the introduction of measures aimed at improving the economic status of women, including retraining for income-generating occupations.

124. The Committee recommends, in both urban and rural areas, the expansion of the network of crisis centres and the establishment of consultative services to provide necessary medical assistance to women victims of violence.

125. The Committee is concerned about the increase in alcoholism and drug addiction, to the extent that these are causes of health problems, as well as violence against women everywhere.

126. The Committee recommends that programmes be put in place to create awareness about the negative impact of alcoholism and drug addiction on individuals and on society in general. It also recommends the introduction of rehabilitation programmes for victims of such addictions.

127. The Committee is concerned that lesbianism is classified as a sexual offence in the Penal Code.

128. The Committee recommends that lesbianism be reconceptualized as a sexual orientation and that penalties for its practice be abolished.

129. The Committee is concerned about the increase in prostitution and the trafficking of women, which it views as being related to poverty, lack of employment and lack of effective national measures to suppress the growth of these practices.

130. The Committee recommends that increased efforts in cooperation with other countries be taken to arrest and punish perpetrators of trafficking. It also recommends that domestic measures be launched to combat the negative effects of structural adjustment programmes on women and to provide job opportunities and training to vulnerable women.

131. The Committee is concerned at the economic situation of women, characterized by an increase in the number of women in poverty and among the unemployed.

132. The Committee recommends that the gender dimension of poverty be considered in the design and implementation of all policies and programmes aimed at the elimination of poverty.

133. The Committee is concerned about the conditions of work and job security of the growing number of women who are entering the informal sector as agents in what is referred to as the "women's suitcase economy" or "women's shuttle economy".

134. The Committee recommends the introduction of comprehensive measures aimed at the improvement of women's economic status, particularly through a review of the taxation legislation relating to small businesses and the expansion of micro-credit programmes involving commercial and agricultural banks in order to ensure gainful and secure employment for women. It also recommends that steps be taken to integrate women into all sectors of the national economy.

135. The Committee recommends that international cooperation be sought to promote the economic position of women.

136. The Committee is concerned at the situation of women's health, in particular the increase in the incidence of maternal mortality and morbidity, as well as the high rates of infant mortality and the use of abortion as a method of contraception.

137. The Committee recommends the introduction of comprehensive family-planning programmes based on the

right to reproductive choice, as well as measures to ensure that abortion is not perceived as a method of contraception.

138. The Committee notes with concern that although polygamy is illegal, it is nonetheless practised in some regions without legal or social sanctions.

139. The Committee recommends that effective measures be taken with respect to the implementation of existing laws, the improvement of women's economic situation and the implementation of public education programmes to change traditional values supportive of polygamy in order to eradicate this practice altogether.

140. The Committee recommends that effective participation of non-governmental organizations be secured in the preparation of the next report of Kyrgyzstan and that the report be made widely available to the community of non-governmental organizations.

141. The Committee requests the Government of Kyrgyzstan to provide information addressing the concerns raised in the present concluding comments in the next periodic report required under article 18 of the Convention.

142. The Committee requests the wide dissemination in Kyrgyzstan of the present concluding comments in order to make the people of Kyrgyzstan, and particularly government administrators and politicians, aware of the steps to be taken to ensure *de jure* and de facto equality for women. It also requests the Government to continue to disseminate widely, in particular, to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

Liechtenstein

143. The Committee considered the initial report of Liechtenstein (CEDAW/C/LIE/1) at its 410th, 411th and 414th meetings, on 25 and 27 January 1999 (see CEDAW/C/SR.410, 411 and 414).

Introduction by the State party

144. In introducing the report, the representative of Liechtenstein noted that *de jure* equality between women and men in Liechtenstein had been achieved later than in many other countries. In 1992, a constitutional amendment stating that women and men had equal rights provided the basis for a 1996 law that guaranteed gender equality.

145. The representative indicated that since 1996 the focus of the Government had been on achieving de facto equality between women and men in all spheres of life. Implementation of legal and other measures in compliance with the Convention formed part of an overall strategy that also incorporated implementation of the Beijing Platform for Action. Liechtenstein had submitted to the United Nations the national action plan for the implementation of the Platform and had ratified several regional and international human rights treaties, including the European Convention on Human Rights and the International Covenant on Civil and Political Rights. Liechtenstein had also accepted the communications procedures of the first optional protocol to the International Covenant on Civil and Political Rights, the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment, and strongly supported the adoption of an optional protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

146. The representative indicated that there had been an increase in the proportion of women represented at all levels of education, but that at the tertiary level male students still constituted two thirds of all students. Male students also predominated in such disciplines as law and economics and in technical studies, including computer studies. Female students were well represented in the humanities.

147. The representative reported that while there had been an increase in the number of women in positions of leadership in communes and commissions since acquiring the right to vote in 1984, women were still underrepresented at all levels of governance. She noted that although there was no system of quotas, the Government remained committed to achieving equal representation of women in senior leadership positions.

148. The representative informed the Committee that non-governmental organizations, many of which received financial support from the Government, played an active role in measures to promote the advancement of women. They were involved in such activities as the facilitation of networking and the provision of day-care centres for children as well as a women's shelter for battered women and children.

149. The representative noted that the Government's focus was now on the achievement of de facto equality for women through a variety of programmes. These had included a 1997 exhibition on the theme: "Girls with a head on their shoulders get down to work", which had sought to motivate girls to expand their choice of occupations. Currently, the educational curriculum was being revised to incorporate the principle of equality and the practical involvement of women and men in the achievement of that principle.

150. The representative indicated that the proposed equal rights act would prohibit discrimination at the workplace,

provide protection against retaliatory dismissal and the right to bring legal claims, including class action complaints, and reduce the burden of proof. The proposed act would also provide the Government with a legal basis to give financial support to companies in order to enable them to enact positive measures for the promotion of women at the workplace.

Concluding comments of the Committee

Introduction

151. The Committee commends the Government of Liechtenstein for the timely submission of its initial report, one year after its accession to the Convention. It welcomes the report, especially the well-structured and informative oral update, which provided frank and clear information on the situation of women. Together with the exhaustive replies provided to the Committee's numerous questions, the presentation provided a comprehensive view of the efforts undertaken by the Government in order to achieve full compliance with its obligations under the Convention.

152. The Committee expresses its appreciation to the Government of Liechtenstein for its high-level delegation, headed by the Minister for Foreign Affairs, who is also the Minister for Family Affairs and Equality between Men and Women. This enabled the Committee to obtain a realistic picture of the progress made and of challenges that lay ahead in the achievement of equal rights of women and men.

Positive aspects

153. The Committee welcomes the Government's withdrawal of its reservation to the Convention.

154. The Committee notes with satisfaction the establishment of a national machinery to implement the Convention and to follow up and implement the commitments of the Platform for Action adopted at the Fourth World Conference on Women.

155. The Committee commends Liechtenstein on its accession to numerous regional and international human rights instruments.

156. The Committee also commends Liechtenstein for its rapid progress in removing discriminatory laws.

Factors and difficulties affecting the implementation of the Convention

157. The Committee notes that the persistence of deep-seated social and cultural attitudes which impede the implementation of the Convention and inhibit the attainment of de facto equality.

Principal areas of concern and recommendations

158. The Committee expresses concern that patriarchal patterns of behaviour persist and thereby compromise *de jure* equality between women and men that has been achieved.

159. The Committee expresses deep concern at the persistence of de facto inequality between women and men, which is particularly reflected in the low participation of women in public life and decision-making, in the economy and in their underrepresentation in tertiary education.

160. The Committee urges the Government to ensure that the proposed equality rights act not only covers working life, but extends to all spheres of life, in order to accelerate equality in both public and private life.

161. The Committee urges the Government to improve the collection and use of data disaggregated by sex in order to provide strong factual information on the situation of women in all areas covered by the Convention, and on the progress made in its implementation over time. Such information will provide the basis for the design of appropriate policies and programmes to accelerate the achievement of equality.

162. The Committee is concerned about the situation of women in employment and work. It expresses its concern about the highly segregated labour market, and the concentration of women in low-paid employment and part-time work.

163. The Committee recommends that the Government avail itself of the existing body of research and practice on equal pay for work of equal and comparable value in order to overcome pay inequity. The Committee also recommends that the Government review the existing system of social security, particularly with regard to marginal part-time work and the law on parental leave, with a view to ensuring that the system, including in its effects, does not discriminate against women.

164. While commending the initiative of the Government to subsidize the employment of women in private enterprises, the Committee notes the inadequacy of measures, including temporary special measures to accelerate de facto equality between women and men and affirmative action to address the situation of women in all areas.

165. The Committee urges the Government to implement temporary special measures in accordance with article 4, paragraph 1, of the Convention in order to accelerate the

advancement of women in all areas. Temporary special measures to promote women have been successful in addressing structural discrimination against women in politics and employment and in accelerating de facto equality for women.

166. The Committee encourages the Government to realize gender equality and requests that it include in its next report detailed information on the impact of policies and programmes aimed at implementing the Convention and achieving gender equality.

167. The Committee expresses serious concern regarding the issue of violence against women, in particular the lack of comprehensive information on its incidence.

168. The Committee recommends that the Government review its policies and measures with regard to violence against women, taking into consideration general recommendation 19 on violence against women. It also recommends that a review be made of the law relating to prostitution to ensure that prostitutes are not penalized.

169. The Committee notes the high number of children born out of wedlock. It recommends the development of studies and indicators to determine the impact of laws and policies on women, since linkages between the strict anti-abortion law and the high incidence of children born out of wedlock might be revealed. The Committee urges the Government to institute measures to prevent single mothers from facing the financial and social risks of poverty.

170. The Committee requests the Government of Liechtenstein to provide information addressing the concerns raised in the present concluding comments in its next periodic report required under article 18 of the Convention.

171. The Committee requests the wide dissemination in Liechtenstein of the present concluding comments in order to make the people of Liechtenstein, and in particular its government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and de facto gender equality and the further steps required in this regard. The Committee also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the conventions, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

2. Combined second and third periodic reports

Greece

172. The Committee considered the combined second and third periodic reports of Greece (CEDAW/C/GRC/2–3) at its 415th and 416th meetings, on 28 January 1999 (see CEDAW/C/SR.415 and 416).

Introduction by the State party

173. The representative of Greece noted that the principle of gender equality had been established in Greece by the 1975 Constitution. The legislative and other measures adopted since then, including relevant directives of the European Union, to consolidate the elimination of discrimination against women in all sectors, had brought about significant changes in the status of women and their increased presence in all sectors. The equality policies adopted since 1994 had been aimed at further reducing inequalities, eradicating their causes and changing existing concepts and attitudes regarding the role of women and men in the family, at work and in politics and social life. Emphasis was also placed on the development of support mechanisms and structures to enhance implementation of such measures. As a sector of the Ministry of the Presidency, the General Secretariat for Equality, established in 1985, was the State agency responsible for equality issues.

174. The representative noted that notwithstanding the positive impact of those measures, gender inequalities continued to exist. The representative then reviewed the most important actions taken in favour of gender equality. She noted that the legislative framework in Greece was considered to be one of the most advanced and progressive in the world. Among recent legislative changes, she highlighted the revision of family law and new legislation concerning women's access to continuing education, vocational training and employment and labour relations. Enrolment in elementary and high school education was obligatory in Greece, and therefore illiteracy rates, in all parts of the country, had decreased significantly in the past decade.

175. The representative identified the elimination of violence against women and women's equal and active participation in all socio-economic development policies as the highest priorities for the General Secretariat for Equality for the period 1997–2000. Owing to a lack of adequate data, no clear picture on the extent and forms of violence against women existed. Among new actions taken to address the problem was the establishment of an expert committee to develop recommendations on further legislation, measures and strategies. The Research Centre for Equality Matters was

conducting nationwide research on violence against women. Forced prostitution and trafficking had also become a serious problem in Greece.

176. The changes occurring in the economic and social system in recent years had particular consequences for women. The achievement of equal opportunities for women and the integration of women into the labour market required that attention be paid not only to quantitative but also to qualitative aspects in order to ensure the economic and social cohesion of the country. The General Secretariat for Equality promoted the adoption of an action plan for 1998–2000, which had as its centrepiece the mainstreaming of the equal opportunities policy into all governmental policies.

177. The representative noted the positive trends in women's participation in the labour market, including the increased participation of women in the labour force, an increase in women's economic activity rate and the fact that three quarters of newly created jobs were occupied by women.

178. While women had begun to participate more actively in political life, the percentage of women in the higher echelons of political power remained small. Various policies and affirmative action measures were sought to increase the number of women in public life, including through awareness-raising and training.

179. The right of Greek women to health care was guaranteed in the Constitution and was realized through a uniform and decentralized national health system, as confirmed by various indicators and demographic data. Specialized health care was available to all women, including immigrants and refugees, but more programmes are also planned to address women's special health problems, including teenage abortion, and health issues related to menopause. A drop in AIDS cases among women had been reported.

Concluding comments by the Committee

Introduction

180. The Committee expresses its appreciation to the Government of Greece for submitting a well-written and comprehensive combined second and third periodic report. It commends the Government for its oral presentation of the report and for the extensive and frank replies to the questions posed by the Committee, which enabled it to obtain a clear picture of the situation of women in Greece.

181. The Committee notes favourably that the Government of Greece considers that the implementation of the Platform for Action adopted at the Fourth World Conference on Women is substantially linked to the implementation of the Convention.

Positive aspects

182. The Committee commends the Government for creating a comprehensive constitutional and legislative framework for achieving equality between women and men. It notes in particular that the Constitution of 1975 enshrines the principle of equality between women and men and that a series of laws and policies have been put in place over the years to translate this principle into practice. The Committee notes the favourable legal situation, including with regard to employment, vocational training and health. It also notes that Greece has ratified the major conventions of the International Labour Organization (ILO) concerning women workers and workers with family responsibilities.

183. The Committee commends the Government in particular for its important new legislative measures concerning family law.

184. The Committee notes that the General Secretariat for Equality, the national machinery for the advancement of women, continues to function as a section of the Ministry of the Presidency. It also notes the existence of additional institutions that work on equality issues, such as the Research Centre for Equality Matters.

185. The Committee welcomes the fact that a large number of women's non-governmental organizations are active in the country, and that good relationships exist between those organizations of civil society and the governmental machinery for the advancement of women. In this context, it welcomes the fact that a national committee, with the participation of government representatives and civil society, was established for the preparation of the combined second and third periodic reports.

186. The Committee welcomes the efforts undertaken by the Government to create equal opportunities for women in the labour market and the positive trends concerning the women's employment situation. It commends the Government of Greece for conducting a pilot survey on time use that aims at quantifying the unpaid household work of women. It also commends the Government for its strategies to use the mass media to improve the image of women.

Factors and difficulties affecting the implementation of the Convention

187. The Committee notes with concern that the prevailing patriarchal structures and societal attitudes concerning the roles of women and men perpetuate discrimination against

women in all spheres of public and private life and constitute an obstacle to achieving equality.

188. The Committee notes that the impact of the prevailing global and regional economic policies and trends is an impediment to the implementation of the Convention.

Principal areas of concern and recommendations

189. The Committee expresses concern at the continuing existence of violence against women and notes the absence of comprehensive legislative measures to address violence. It is also concerned about the attitude of law enforcement personnel, especially the police, towards women victims of violence. It is also concerned that, notwithstanding a high incidence of sexual harassment in the workplace, its legal regulation remains unclear, and women do not avail themselves of available complaint mechanisms.

190. The Committee recommends that the Government strengthen the legislative and policy framework to prevent, eliminate and prosecute violence against women, in accordance with its general recommendation 19, and the Declaration on the Elimination of Violence against Women. It recommends that data and information on the prevalence and types of violence in the family in general, and against women in particular, be gathered as a matter of priority. Urgent measures should be taken to institutionalize the training of police and law enforcement personnel to ensure the appropriate handling of cases of violence against women. Efforts should also be made to improve the accessibility and effectiveness of complaints mechanisms against sexual harassment in the workplace.

191. The Committee is concerned that the revision of the laws on rape has not led to the recognition of rape as a serious infringement of a woman's human right to personal security.

192. The Committee recommends that the law on rape, including marital rape, be reformed, and that forensic investigation be introduced in the light of general recommendation 19, the Declaration on the Elimination of Violence against Women and recent developments in the laws of other European countries that face similar problems of violence against women.

193. The Committee notes with concern that, following a number of recent court cases, the legality of affirmative action and temporary special measures in accordance with article 4.1 of the Convention is unclear.

194. The Committee recommends that the Government clarify the compatibility of its legislative provisions with article 4.1 of the Convention to ensure its implementation.

195. The Committee notes with concern that, notwithstanding the availability of legal remedies to seek redress for discrimination and the fact that some court cases have been filed to challenge discrimination, very few women avail themselves of this right and are often reluctant to do so.

196. The Committee recommends that the Government develop programmes to raise awareness of the constitutional remedy among women and women's groups so that individual acts of discrimination will be consistently challenged and so that the Constitution will have an impact on government action and policy and on the private sector.

197. While noting positively the fact that prostitution is decriminalized and instead is dealt with in a regulatory manner, the Committee is concerned that inadequate structures exist to ensure compliance with the regulatory framework. The Committee is also concerned about the increase in trafficking in women. In this regard it notes that insufficient attention is given to possible links between lack of enforcement and trafficking in and migration of women.

198. The Committee recommends that compliance with the regulations governing prostitution be monitored effectively and adequate measures to address trafficking in women be introduced.

199. Noting the already low level of participation of women in political and public life, the Committee voices its concern at the apparent decrease in the percentage of women in elected office. It points to the consequences of this situation for the adoption of gender-sensitive legislative and policy measures.

200. The Committee urges the Government to adopt innovative measures to raise the percentage of women in all public bodies, including in the legislature, the executive and the judiciary. Efforts should also be made to encourage other entities, such as political parties and the private sector, to increase the number of women at senior and decision-making levels.

201. The Committee is concerned that there is a relatively high level of functional illiteracy in Greece, in particular among elderly and rural women.

202. The Government is urged to intensify its efforts to prevent and to remedy functional illiteracy among women. The Government should also conduct a comprehensive review of all educational curricula at the primary, secondary and tertiary levels with a view to eliminating remaining discriminatory aspects, remedying the stereotypical portrayal of women and girls and creating an educational environment that is conducive to girls' and women's education and

learning. The Government should include the achievement of equality between women and men and between girls and boys as a societal goal in its educational policy. The Committee urges the Government to establish degree-granting women's studies programmes to provide academic support to political and practical changes aimed at creating a non-patriarchal society.

203. Noting that there are positive trends in the employment situation of women, the Committee remains concerned about the situation of women in the formal and informal labour market, including the high percentage of unemployed women and the continuing pay gap between women and men. It is also concerned that many of the new jobs occupied by women might provide only low pay and limited career prospects. The Committee is further concerned that the employment prospects for women in rural areas, for women who are migrating from the agricultural sector into other employment areas and for immigrant women remain precarious, especially for those with low skills or who are functionally illiterate.

204. The Committee urges the Government to assess, in a comprehensive manner, the changing realities of women's work and to develop policies that aim at structural and long-term improvements in the employment situation of women. Particular attention should be paid to supporting women who work without pay in family enterprises and on family farms. It also urges the Government to address the issue of women migrant workers.

205. The Committee is concerned that insufficient attention is given to gender-specific causes and consequences of illness and disease and that, consequently, the country's health policy is insufficiently responding to gender factors associated with health.

206. The Committee recommends that all health-related data and statistics be disaggregated by sex and age so that health policies, service delivery and allocation of resources can be assessed in terms of their outcomes for women and men. It also recommends that governmental health policies, research and resources be adjusted so as to respond adequately to the rights of women and men to a high standard of health care and to the gender factors associated with health.

207. The Committee expresses its concern about the high rate of abortion in Greece, and especially of abortions by teenagers. The numbers are indicative of insufficient use of contraceptives, a lack of sex education and information about contraceptives, as well as insufficient or unfocused family-planning efforts. The Committee is also concerned in this respect about the extent of funding for contraception, given the comprehensive coverage of health insurance and funding for health services in Greece.

208. The Committee recommends that the Government introduce sex education as part of the school curriculum. It also recommends the improvement of family-planning policies and measures so that all women and men have access to information about and measures of contraception. It also urges the Government to target men in its family-planning efforts and to stress the shared responsibilities of women and men in this regard.

209. Given the sometimes traumatic flow of immigrants and refugees in the region and constant changes in their composition, the Committee is concerned at the low level of continuous attention given to them by the Government. Likewise, the Committee notes that while attention is given to the situation of certain groups of minority women, such as gypsies, insufficient information is available concerning the situation of other ethnic and religious minority women, such as Turks and Albanians.

210. The Committee urges the Government to develop a general policy to address the particular needs of immigrant and migrant women with regard to their protection, health, employment and educational needs. The Committee also urges the Government to ensure that repatriation efforts are consistent with women's safety and protection needs. The Government should also consider entering into bilateral agreements with women migrants' countries of origin to ensure adequate protection of women's rights and safety. The Committee encourages the Government to assess the situation of all minority women with a view to ensuring adequate support for them.

211. The Committee recommends that the Government, when preparing its next report, engage in consultations with groups that represent minority women.

212. The Committee requests the wide dissemination in Greece of the present concluding comments in order to make the people of Greece, and in particular its government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and de facto equality and the further steps required in this regard. The Committee also requests the Government to continue to disseminate widely, in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

Thailand

213. The Committee considered the combined second and third periodic reports of Thailand (CEDAW/C/THA/2–3) at its 417th and 418th meetings, on 29 January 1999 (see CEDAW/C/SR.417 and 418).

Introduction by the State party

214. In her opening statement, a representative of the Government of Thailand noted that at the time of its accession to the Convention on the Elimination of All Forms of Discrimination against Women in 1985, Thailand had made seven reservations, five of which had been withdrawn by 1995. The representative indicated that efforts had been made to amend laws to allow for the withdrawal of the reservation to article 16 of the Convention, which deals with family life and marriage. However, several laws relating to family life discriminated against women, and traditional attitudes impeded attempts to amend those laws.

215. The representative noted that anti-discrimination legislation had been proposed but rejected by Thailand's legislators because the Constitution, promulgated in 1998, already stipulated equality between women and men and prohibited discrimination on the basis of sex. Other laws also included the principle of gender equality.

216. The representative drew attention to the National Commission on Human Rights, an independent body that could receive information on violations of human rights. It could also recommend the amendment of laws and make proposals for other remedial measures. She indicated that the 20-Year Perspective Policy and Plan for Women (1992–2011) and the Beijing Platform for Action had formed the basis of the five-year development plan for women, which was part of the eighth national, social and economic development plan. The National Commission for Women's Affairs (NCWA), established in 1989, had resulted from the five-year development plan, and among its goals was the promotion of the advancement of women and the creation of gender awareness. The Commission was also responsible for monitoring and evaluating programmes for women and initiating gender-sensitive research.

217. The representative indicated that the Beijing Platform for Action had been translated into Thai and that five regional meetings had been organized by the Government to make the public aware of its terms, particularly in regard to violence against women and the girl child and trafficking in women and children.

218. The representative acknowledged that stereotyping of women and men still existed in Thai society, but there was growing awareness of the impact of gender stereotypes. NCWA had conducted a research project with regard to stereotypes in textbooks, and the Ministry of Education was revising textbooks. There had been increasing enrolment of women in traditionally male-dominated fields. The media had also begun to address stereotypes in programmes that presented women's views and gender perspectives, but the mass media in Thailand sometimes portrayed women and girls in accordance with traditional stereotypes.

219. The representative noted that since the submission of the previous report, significant efforts had been made to address the sexual exploitation of and trafficking in women and children. New legislation had been introduced, and NCWA was currently formulating a national plan of action for trafficking of women and children. Domestic violence against women and children had also been the focus of government activity, while comprehensive measures to prevent child labour had also been introduced.

220. The representative noted that, although there had been some progress in that regard, the participation of women in political and public life remained low. She noted that women usually entered traditional occupations and bore primary responsibility for family obligations.

221. The representative indicated that the 1998 labour protection code provided for gender equality in employment and prohibited sexual harassment. NCWA, in collaboration with the Ministry of Labour and Social Welfare, would establish a system to monitor that legislation so that it could be enforced effectively.

Concluding comments of the Committee

Introduction

222. The Committee expresses its appreciation to the Government of Thailand for its candid and comprehensive report, a supplementary report, as well as the additional information and written responses to the numerous questions put forward by the pre-session working group, as well as the clear responses provided in the oral presentation made by the representative of Thailand. The Committee also notes that the interactive nature of the country's presentation was useful for the purpose of sustaining a constructive dialogue with its members.

223. The Committee commends the Government for withdrawing five reservations to the Convention, and encourages it to continue its effort to withdraw the two remaining reservations. It particularly commends efforts to withdraw the reservation to article 16 relating to family life and marriage.

Positive aspects

224. The Committee commends the efforts undertaken by NCWA, in particular in formulating new laws and research-

based policy recommendations. The Committee notes the cooperation with NCWA and non-governmental organizations in that regard.

225. The Committee is pleased to note that the Convention and the Beijing Platform for Action have had a visible impact on the policies and laws of Thailand and in the realization of gender equality in the country. The Committee welcomes the new Constitution, which guarantees equality between women and men and includes provisions to promote the equal employment of women and men.

226. The Committee welcomes legislative measures on trafficking, prostitution, nationality, employment and child labour introduced from 1992 to 1998, as well as the compulsory education policies that have been adopted, which indicate that the Government of Thailand has made serious efforts to integrate the standards of the Convention into domestic laws and policies.

Factors and difficulties affecting the implementation of the Convention

227. The Committee notes that the recent financial crisis has been affecting the country's economic and social development and is an impediment to the implementation of the Convention.

228. The Committee is concerned that traditional attitudes that foster discrimination against women and girls continue to prevail and to hinder the full implementation of the Convention.

229. The Committee is concerned with the continued existence of Thailand's reservation to article 16 of the Convention which relates to marriage and family life.

Principal areas of concern and recommendations

230. The Committee expresses its concern at the lack of effective law enforcement mechanisms and the lack of cases filed by women in the courts on the basis of constitutional guarantees. The Committee urges NCWA to study constitutional developments in other countries and practical ways of strengthening the capacity of women to use the Constitution to ensure gender equality.

231. The Committee remains concerned that the Convention is not directly applicable in the courts in Thailand and that there is no separate law exclusively dealing with discrimination against women. The absence of a definition of discrimination congruent with the Convention in the Constitution is also of serious concern.

232. The Committee recommends the introduction of specific anti-discrimination legislation in compliance with article 1 of the Convention.

233. Noting the prevailing traditional attitudes affecting the advancement of Thai women, the Committee recommends that sensitization programmes for policy makers, administrators, legal personnel and other professionals involved in the health and education sector be provided. The Committee recommends that school textbooks be revised to eliminate stereotyped images of women and girls and to include women's human rights issues.

234. The Committee is concerned about the underrepresentation of women in politics and decision-making structures, including the judicial system. It emphasizes the importance of fostering a political and social environment conducive to women's promotion in all sectors of public and private life. The Committee recommends the introduction of affirmative action policies or temporary special measures in accordance with article 4, paragraph 1, of the Convention, with goals and timetables to address the situation.

235. Recognizing that the Government has successfully raised the legal employment age from 12 to 15 years by extending compulsory education from 6 to 9 years, the Committee continues to be concerned about the early drop-out of girls from school and their early entry into the labour force. The Committee takes note of the proposal to introduce a children's rights law and recommends that the Government ensure that its provisions conform with the Convention on the Elimination of All Forms of Discrimination against Women and the relevant provisions of the Convention on the Rights of the Child.

236. The Committee expresses its concern about the status of women migrant workers. In particular, the Committee is concerned about cross-border trafficking in women and girls, forced prostitution and the commercial sex industry.

237. The Committee strongly recommends that the Government consider the issue of migration and commercial sex work as a critical human rights issue.

238. The Committee recommends that the Government explore the possibility of cooperation with other countries and coordination with non-governmental organizations when introducing measures to address the issue.

239. The Committee expresses concern about hill-tribe women and girls, whose rights may not be effectively protected by national laws.

240. The Committee recommends the introduction of legislation and other measures to protect effectively the rights of hill-tribe women and girls.

241. The Committee expresses its concern at the high suicide rate, as well as the prevalence of mental illness, among women.

242. The Committee recommends that the Government conduct research into these matters and include information on them in the next report.

243. Recognizing that sexual harassment, rape, domestic violence and marital rape, whether in the family, the community or the workplace, constitute violations of women's right to personal security and bodily integrity, the Committee urges the Government of Thailand to amend the penal code in the light of the Declaration on the Elimination of Violence against Women and general recommendation 19 of the Committee.

244. The Committee is concerned that traditional stereotypes of women and men are reflected in some laws and portrayed in school text books and through the media, thereby undermining positive policies relating to gender equality.

245. The Committee urges that a review be made of laws and policies and school text books in order to remove gender stereotypes. It also recommends that the media be encouraged to portray girls and women in non-stereotyped ways.

246. The Committee encourages the Government to give full attention to the needs of rural women and to ensure that they benefit from policies and programmes in all areas, in particular access to decision-making, health, education and social services.

247. The Committee is concerned that the current Name Law and other laws operate so as to restrict women's access to credit and land ownership when they marry foreigners.

248. The Committee strongly recommends the timely introduction of the proposed amended Names Act and the Nationality Law.

249. The Committee requests the Government of Thailand to provide information addressing the concerns raised in the present concluding comments in its next periodic report required under article 18 of the Convention.

250. The Committee requests the wide dissemination in Thailand of the present concluding comments in order to make the people of Thailand, and in particular government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and de facto equality for women and the further steps that are required in that regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

3. Third and fourth periodic reports

China

251. The Committee considered the combined third and fourth periodic reports of China (CEDAW/C/CHN/3–4 and Corr.1 and Add.1 and 2) at its 419th to 421st meetings, on 1 and 2 February 1999 (see CEDAW/C/SR.419–421). Addendum 2 to the third and fourth periodic reports covered the implementation of the Convention by the Government of the Hong Kong Special Administrative Region, over which the Government of China resumed the exercise of sovereignty on 1 July 1997.

Introduction by the State party

252. The representative of China, in his introduction, noted that the Government of China had always attached great importance to the implementation of the Convention. The present report, covering the years 1989 to 1995, had been drafted under the leadership of the National Committee on Women and Children under the State Council, a body composed of 23 ministries and commissions of the Government, and five non-governmental organizations.

253. The representative highlighted the gradual improvement in the situation of women in political participation, education, health care and employment during the reporting period. At the same time, he noted that the equal rights of women had not been fully realized. The elimination of discrimination against women was being pursued through the development of the national economy and the strengthening of the legal system.

254. The Law of the People's Republic of China on the Protection of the Rights and Interests of Women (the Women's Law), adopted in 1992, constituted the first basic law to protect women's rights and interests in a comprehensive and systematic manner. It defined four principles and set out the rights of women in the political, cultural, educational, labour and economic sphere, as well as in marriage and the family and with regard to the person.

255. The Programme for the Development of Chinese Women, formulated in 1995 in the light of the Beijing Platform for Action, constituted the first comprehensive programme on the overall plan of action for women's development. The Programme was aimed at encouraging

government entities at various levels to take concrete steps for women's political participation, employment, education and health care, thus further implementing in practice the concept of gender equality as stipulated in the law. Among the main measures taken to ensure implementation of the Women's Law were the establishment of specialized agencies, the formulation of implementation measures by the various levels of administration in the light of local conditions, nationwide legal awareness campaigns, and review and monitoring of implementation.

256. The representative noted that the report also discussed the steps taken by the Government of China to implement the Beijing Declaration and Platform for Action. Additional information had been submitted to the Committee concerning measures taken from 1996 to mid-1998, including the revision of laws, improved action against criminal activities targeted at women and children, and re-employment measures for workers laid off in the economic restructuring. Follow-up action taken by relevant government institutions to implement the Beijing Declaration and Platform for Action were also covered. Activities of non-governmental organizations in protecting women's rights and interests were also included in the report.

257. In conclusion, the representative noted that despite the tremendous amount of work done to promote women's full participation in development, quite a number of women in rural areas lived in poverty, more than 100 million women were still illiterate, and in the transition from a planned economy to a market economy and the reform process, large numbers of women workers had been laid off and were experiencing difficulties finding new employment. The participation of women in political life was still low, incidents of violations of women's rights continued to occur and certain social evils persisted. He emphasized, however, that his Government was determined to continue its efforts, and welcomed the support of the international community in that regard.

258. The representative of the Hong Kong Special Administrative Region, in introducing the initial report of the Hong Kong Special Administrative Region (CEDAW/C/CHN/3-4/Add. 2), noted that the Government of China had resumed the exercise of sovereignty over Hong Kong, with effect from 1 July 1997, under the principle of "one country, two systems". The Convention had been extended to Hong Kong on 14 October 1996 and had remained in force since the reunification on 1 July 1997.

259. The representative noted that the Basic Law of the Hong Kong Special Administrative Region of the People's Republic of China, the constitutional document of the Region, included a list of fundamental rights and freedoms of residents and other persons in the Region, applicable to women and men. The Basic Law also provided for the continuing application of the International Covenant on Civil and Political Rights and the International Covenant on Economic, Social and Cultural Rights, and the Hong Kong Bill of Rights Ordinance.

260. The representative explained that in the period between 1996 and 1998, a legislative review had been undertaken leading to the enactment of a number of amendments and ordinances to eliminate discriminatory or unfair treatment of women. The rights of women were also protected by legislation that included the Sex Discrimination Ordinance (1995) and the Family Status Ordinance (1997). The Equal Opportunities Commission, an independent statutory organization established in 1996, was responsible for the elimination of discrimination and the promotion of equality between women and men, for enforcing the anti-discrimination ordinances and for handling complaints.

261. The Government's Policy Groups, chaired by the Chief Secretary for Administration and attended by senior representatives of the policy bureaux, ensured coordination among the various bureaux on all matters concerning women.

262. The improvement of the position and status of women in Hong Kong was apparent in different areas. In 1997, women accounted for 39 per cent of the total working population and made up 33 per cent of the civil service. Women also occupied two out of the three highest ranking government posts. Almost a third of the members of the Executive Council were women. Women made up between 21 and 36 per cent of the legal, accounting and medical professions.

263. The Government of the Hong Kong Special Administrative Region was committed to providing equal access to and opportunities in education, which included nine years of free and universal basic education. More than half the university graduates in 1997 were women.

264. Women's health remained a government priority, and a range of health-care services was available to women, including with regard to reproductive health. Hong Kong's infant mortality rate was among the lowest in the world, and women's life expectancy was 82.2 years.

265. The representative noted that China had entered seven reservations and declarations in respect of the application of the Convention to Hong Kong. These would be kept under review.

266. In conclusion, the representative welcomed the Committee's views and suggestions in support of the full implementation of the Convention.

Concluding comments by the Committee: China

Introduction

267. The Committee expresses its appreciation to the Government of China for submitting its combined third and fourth periodic reports. However, the Committee notes that the report insufficiently follows the Committee's guidelines for the preparation of periodic reports. In particular, the report does not incorporate sufficient statistical data disaggregated by sex, comparing the current situation to that at the time of the previous report.

268. The Committee commends the Government for its oral presentation of the report, and for the detailed oral and written replies, including statistical information, to the questions posed by the Committee.

269. The Committee commends the Government for having sent a high-level and large delegation that included specialists from different departments of the central Government, as well as the Hong Kong Special Administrative Region, headed by the Permanent Representative of China to the United Nations.

270. The Committee notes that Chinese women constitute more than one fifth of the world's women.

Positive aspects

271. The Committee acknowledges with appreciation the comprehensive efforts undertaken by the Government of China to implement the Convention since the consideration of its second periodic report in 1992. These efforts are indicative of the political will of the Government to eliminate discrimination and to advance equality between women and men. The Committee reaffirms that the Convention recognizes that women's rights include civil, political, economic, social and cultural rights and that they are an inalienable, integral and indivisible part of universal human rights.

272. The Committee commends the Government for further strengthening the legislative framework to ensure equality between women and men. It notes in particular the 1992 Law on the Protection of the Rights and Interests of Women (the Women's Law), the 1995 Mother and Child Health Law, the 1996 and 1997 amendments to the criminal law with regard to trafficking in women, the 1996 Law on the Protection of the Rights and Interests of the Elderly concerning social security provisions for the elderly, and the recent revision of the law on adoption.

273. The Committee commends the Government for the elaboration of programmes to ensure implementation of those laws, and especially the Programme for the Development of Chinese Women (1995–2000). It notes the achievements of the Government in ensuring social and economic rights for hundreds of millions of people. It also notes that economic reforms in recent years have brought about strong and steady economic growth. The Committee commends the efforts of the Government to combine economic restructuring with concern for the social well-being of China's citizens. It commends, in particular, the Government's efforts to alleviate poverty, to address the unemployment of women, to modify gender stereotypes, including in the mass media, to initiate legal awareness campaigns and to reduce illiteracy of women in rural areas. The Committee also commends the work of the All China Women's Federation in implementing government policy for gender equality.

274. The Committee welcomes the overall increase of facilities and personnel for maternal health care, the greater access to family planning services and to primary health care. It commends the Government for its collaboration with UNFPA to initiate a pilot family planning programme, based on voluntary participation, information and freedom of choice. The Committee welcomes in particular the Government's strong and unequivocal objection to the use of coercive measures in implementation of its population policy.

275. The Committee commends the Government for hosting, in September 1995, the Fourth World Conference on Women and for its subsequent efforts to implement the Beijing Declaration and Platform for Action. The Committee emphasizes that the Convention constitutes the legal basis and framework for the implementation of the Platform for Action.

Factors and difficulties affecting the implementation of the Convention

276. The Committee notes that the great size and diversity of China pose special challenges to the realization of equality between women and men.

277. The Committee notes that the persistence of prejudice and stereotypical attitudes concerning the role of women and men in the family and in society, based on views of male superiority and the subordination of women, constitutes a serious impediment to the full implementation of the Convention.

278. The Committee considers that the gap between the situation of women in urban areas and those in rural and remote areas constitutes a major obstacle to the full implementation of the Convention.

279. The Committee notes with concern the adverse impact of economic restructuring on women in the transition from a planned economy to a market economy, and in particular the gender-specific consequences for women's employment and re-employment.

Principal areas of concern and recommendations

280. The Committee is concerned that the Government's approach to the implementation of the Convention has an apparent focus on the protection of women rather than on their empowerment. Thus, the central machinery responsible for government policy is the National Working Committee on Women and Children, perpetuating the identification of women with children. Similarly, in the area of women's health, there is a focus on mother-child health, limited to women's reproductive function. Likewise, labour laws and regulations overemphasize the protection of women.

281. The Committee recommends that the Government re-examine its approach to realizing gender equality, with an emphasis on the human rights framework of the Convention and the empowerment of women. The Government should encourage a country-wide social dialogue that advocates equality between women and men, and a comprehensive public campaign aimed at changing traditional attitudes.

282. The Committee recommends that the Government examine and enhance the structure, authority and resources of the national machinery for the advancement of women.

283. Although the Convention is an integral part of Chinese law, the Committee is concerned that the Women's Law does not contain a definition of discrimination against women. It is also concerned that the Women's Law does not provide for effective remedies in cases of violation of the law. It is unclear whether the Convention can be, or ever has been, invoked in a court of law, and what the outcome of such cases might have been.

284. The Committee recommends that the Government adopt legislation that expressly prohibits gender discrimination, including unintentional and indirect discrimination, in accordance with the definition in article 1 of the Convention. It also recommends that the Government improve the availability of means of redress, including legal remedies, under the Women's Law. The Government should provide legal aid to women who suffer discrimination in its various forms, to assist them in the realization of their rights. It should also widely publicize all these measures so that adequate enforcement of the law can be ensured. The Committee recommends further that the Government adopt measures and allocate resources at both the central and provincial levels to monitor implementation of the various laws on gender equality.

285. The Committee is concerned about the diverse forms of violence against women in China, including custodial violence, sexual abuse, domestic violence, sexual violence and sexual harassment in the workplace. The Committee is also concerned that economic conditions may contribute to an increase in violence against women.

286. The Committee recommends that the Government examine and revise its laws and policies on violence against women in the light of the Committee's general recommendation 19. This should include adoption of a special law on domestic violence and provision of services for survivors, such as shelters and hotlines. The handling of domestic violence cases should be systematically included in the training of law enforcement officials and health-care personnel. The Committee urges the Government to regulate sexual harassment and to provide legal remedies for women victims of sexual harassment in the workplace. The Committee requests the Government to provide information in its next report on procedures for ensuring the rights of women in custody to protection from sexual abuse and for sanctioning prison officers responsible for such abuse.

287. The Committee recommends that the Government consider the possibility of extending an invitation to the Special Rapporteur on Violence against Women, including its causes and consequences, to visit China and all its provinces.

288. The Committee is concerned that prostitution, which is often a result of poverty and economic deprivation, is illegal in China.

289. The Committee recommends decriminalization of prostitution. Given the HIV/AIDS pandemic, the Committee also recommends that due attention be paid to health services for women in prostitution. The Government is also urged to take measures for the rehabilitation and reintegration of prostitutes into society.

290. Notwithstanding the serious efforts of the Government to combat trafficking in women, the Committee expresses its concern about reports in some localities of corrupt officials who are involved or colluding in the trade in women, including through payments from prostitutes.

291. The Committee urges the Government to investigate reports of local officials' involvement in trafficking and the exploitation of prostitution, and to prosecute all persons engaged in such practices.

292. The Committee is concerned that the proportional representation of women in all spheres of public life, and especially at the higher decision-making levels, has increased only minimally since the consideration of China's second report.

293. The Committee urges the Government to adopt temporary special measures within the meaning of article 4, paragraph 1 of the Convention to increase the number of women at the higher echelons of Government. The women's talent bank of the All China Women's Federation should be used extensively to increase the percentage of women in all public bodies. The Government should also encourage gender-balance in the composition of village committees.

294. Notwithstanding the Government's positive efforts and achievements in reducing illiteracy, the Committee is concerned about the disproportionate persistence of illiteracy among women, especially women in rural and remote areas, and among ethnic and religious minority women. The Committee also notes a lack of information concerning the situation of women in science and technology.

295. The Committee recommends that the Government adopt a specific time-frame, with budgetary and resource allocation, for the achievement of universal literacy and primary education. It should also abolish official and unofficial school fees, which often result in the exclusion of girls from enjoying their right to education, particularly in poor rural areas. Special measures and incentives should be introduced to ensure that girls are able to fully utilize access to primary education, and are given opportunities for secondary and higher education and vocational training. Likewise, the Committee urges the Government to revise school textbooks and curricula to eliminate gender stereotypes and to include the achievement of gender equality as a societal goal in its education policy.

296. The Committee is concerned about the economic situation of women in the transition from a centrally planned to a market economy. The rising unemployment of women, difficulties in finding new employment, the lack of enforcement of labour laws for women workers and the continuing categorization of certain jobs as unsuitable for women are of particular concern. The Committee is concerned that retraining of unemployed women for jobs in the service sector may lead to further gender segregation of the labour market, with women being trapped in low-wage sectors. The Committee notes with concern that women are faced with age discrimination as they seek re-employment. It is also concerned that an overemphasis on the protection of, rather than equal opportunities for, women in the labour market perpetuates stereotypes and creates additional obstacles for women competing in a market economy. The Committee notes that the situation of women workers in special economic zones also remains a concern.

297. The Committee is concerned about the consequences of women's loss of employment, or of interrupted employment, on women's rights to housing, health care and social security.

298. The Committee urges the Government to analyse, from a gender perspective, the effects of its economic policies, and to take steps to mitigate and counteract their negative effects on women. In addition to enforcing existing labour laws, the Committee invites the Government to increase women's means of redress against discrimination and inequality at work, including by promoting the recognition of women's right to participate in workers' organizations and their right to strike.

299. The Committee recognizes that population growth is a genuine and severe problem and that considerable progress has been made in providing family planning services, but expresses concern about various aspects of the implementation of China's population policy, including the following:

(a) The Committee notes with concern that only 14 per cent of men use contraceptives, thus making contraception and family planning overwhelmingly a woman's responsibility. In the light of the fact that vasectomy is far less intrusive and costly than tubal ligation, targeting mainly women for sterilization may amount to discrimination;

(b) Notwithstanding the Government's clear rejection of coercive measures, there are consistent reports of abuse and violence by local family planning officials. These include forced sterilizations and abortions, arbitrary detention and house demolitions, particularly in rural areas and among ethnic minorities;

(c) The Committee is concerned about the growing disparity in the male/female sex ratio at birth as an unintended consequence of the population policy, owing to the discriminatory tradition of son preference. The shortage of females may also have long-term implications regarding trafficking in women;

(d) The Committee is concerned about illegal practices of sex-selective abortion, female infanticide and the non-registration and abandonment of female children.

The Committee expresses particular concern about the status of "out-of-plan" and unregistered children, many of them girls, who may be officially non-existent and thus not entitled to education, health care or other social benefits.

300. The Committee urges the Government to examine the ways in which its population policy is implemented at the local level and initiate an open public debate thereon. It urges the Government to promote information, education and counselling, in order to underscore the principle of reproductive choice, and to increase male responsibility in this regard. The Government should make clear that coercive and violent measures are prohibited and enforce such prohibition through fair legal procedures that sanction officials acting in excess of their authority. The Committee urges the Government to introduce gender-sensitivity training for family planning officials.

301. Recognizing that male children, especially in rural and remote areas, remain responsible for supporting people in old age, the Government should explicitly address the linkages between economic security in old age and its family planning policies. It should take all appropriate measures to modify and eliminate son preference, *inter alia*, by expanding educational and employment opportunities for women in rural areas. The Government should enforce laws against sex-selective abortion, female infanticide and abandonment of children and remove all legal disabilities from "out-of-plan" and unregistered children.

302. The Committee is concerned that traditional attitudes and prejudices against women remain particularly pronounced in rural areas. It notes, in particular, the lack of opportunities for rural women to benefit fully from the economic progress of China, and that rural women face loss of property rights as a result of change in marital status. In this regard, it notes that some 70 per cent of agricultural workers are women and that this requires particular attention. The Committee is also concerned about the high rates of suicide among rural women.

303. The Committee recommends that all government policy and planning for rural areas, including micro-credit, small enterprise development and other income-generating projects, be developed with the full and active participation of rural women. Urgent attention should be given to addressing women's suicide rates through measures such as the provision of mental health services and a better understanding of the causes of these suicides. Women's studies centres could be encouraged to undertake the necessary research. The Government is urged to ensure that women have equal enjoyment of land rights independent of their marital status.

304. The Committee notes that there is no discussion in the report of women's participation in the informal sector of the economy. The Committee requests that this issue be addressed in the Government's next report.

305. The Committee urges the Government to integrate, in its next report, statistical information under each article of the Convention, to provide analysis of the situation of women over time, as well as in comparison to the situation of men, so that an assessment can be made of the factual progress made in implementation of the Convention.

306. In the light of the diversity of the country and its population, the Committee repeats the request it made in its concluding comments on China's second periodic report, that the Government provide in its reports a breakdown of information by provinces and autonomous regions and also include information on ethnic minorities particularly the Uyghur and Tibetan peoples.

307. The Committee urges the Government to translate the Convention on the Elimination of All Forms of Discrimination against Women into local languages. It recommends a comprehensive public campaign to improve legal literacy of the Convention and to raise awareness of gender equality as a societal goal and of women's rights as human rights. It also recommends gender-sensitization training on the basis of the Convention for all government officials and cadres. The Committee urges the Government to initiate broad public discussions in the various provinces and autonomous regions in the preparation of its fifth periodic report under article 18 of the Convention.

Concluding comments by the Committee: Hong Kong Special Administrative Region

Introduction

308. The Committee expresses its appreciation to the Government of China, Hong Kong Special Administrative Region, for submitting, in a timely manner, an extremely well-structured and informative initial report. It commends the Government on its oral presentation of the report and for the detailed oral and written replies, including statistical information, to the questions posed by the Committee.

309. The Committee notes that there are many non-governmental organizations working actively in Hong Kong for the full implementation of the Convention.

Positive aspects

310. The Committee commends the Government of China for the continuing applicability of the Convention to the Hong Kong Special Administrative Region following

resumption of Chinese sovereignty over Hong Kong on 1 July 1997 under the principle of "one country, two systems". It notes that the Government has disseminated the Convention, including through the Internet.

311. The Committee welcomes the guarantee of human rights and fundamental freedoms of women and men, contained in the Hong Kong Basic Law and in the Bill of Rights Ordinance. It also notes the recent adoption and revision of laws to eliminate discrimination against women. The Committee commends, in particular, the Sex Discrimination Ordinance of 1995 and the establishment thereunder of the Equal Opportunities Commission as an independent statutory body and with adequate resources, responsible for addressing complaints on discrimination and promoting gender equality through public education and other means.

312. The Committee welcomes the recent judicial decision which has enforced the right to non-discrimination by recognizing that a non-marital child can claim residence in the Hong Kong Special Administrative Region on the basis of the residence rights of either her mother or father.

313. The Committee expresses satisfaction at the high level of literacy and the universal system of free education.

Factors and difficulties affecting the implementation of the Convention

314. The Committee notes with concern that China has entered seven reservations and declarations in respect of the provisions of the Convention as applied to Hong Kong. Of particular concern is the reservation exempting "the affairs of religious denominations or orders" from the scope of the Convention.

Principal areas of concern and recommendations

315. The Committee expresses concern that the Basic Law does not contain a prohibition of discrimination against women.

316. The Committee recommends the adoption of a constitutional definition of discrimination, both direct and indirect, to complement the prohibition of discrimination in civil law under the Sex Discrimination Ordinance.

317. Notwithstanding the important mandate and valuable work of the Equal Opportunities Commission, the Committee is concerned about the absence of a governmental mechanism for the advancement of women in Hong Kong charged with the pro-active development of policy and long-term strategies on gender equality.

318. The Committee recommends that the Government of the Hong Kong Special Administrative Region establish a high-level central mechanism with appropriate powers and resources to develop and coordinate a women-focused policy and long-term strategy to ensure effective implementation of the Convention.

319. The Committee expresses concern that the electoral system of the Region contains structural obstacles to the equal political participation of women, which is indirect discrimination against women, especially with respect to the functional constituencies.

320. The Committee urges the Government to take all measures necessary to ensure the equal representation of women in all constituencies, including rural committees, on the basis of the principle of universal and equal suffrage, in accordance with the Committee's general recommendation 23.

321. The Committee notes the low representation of women in governmental advisory boards and statutory committees, as well as in the civil service and the judiciary.

322. The Committee recommends that the Government make use of affirmative action and temporary special measures in accordance with article 4, paragraph 1, of the Convention to realize women's right to participation in all areas of public life and particularly at high levels of decision-making. It also recommends that the Government study the experience of other countries in using quotas, timetables for achieving specified goals and databases on women candidates, with a view to applying them in Hong Kong.

323. The Committee is concerned that the Domestic Violence Ordinance applies only to physical abuse in marital relations, and that it does not provide for counselling and treatment of offenders. It also notes with concern that the report does not contain information on rape and that marital rape is not considered a criminal offence in the Hong Kong Special Administrative Region.

324. The Committee recommends that the Government enhance services for survivors of domestic violence, including domestic workers, with a view to their empowerment and rehabilitation, including through psychological counselling, legal aid, temporary shelter and appropriate health services. The Committee also urges the amendment of existing legislation to include marital rape as a criminal offence. It requests the Government to provide information on sexual crimes, including rape and marital rape, in its next report under article 18 of the Convention.

325. The Committee notes that while prostitution itself is not unlawful, provisions to ensure the health and safety of sex workers are unclear, and there may be discrimination against women in the enforcement of related crimes.

326. The Committee recommends that adequate regulations to protect women sex workers be put in place and enforced. It also recommends that the Government monitor the links between the presence of migrant women, a regulatory approach to prostitution and trafficking in women.

327. The Committee commends efforts to develop a standard labour contract for migrant workers with provision for minimum wages, but it is concerned that these workers can be exposed to abuse and custodial violence.

328. The Committee recommends that the Government monitor and take action to protect women migrant workers from abuse and violence, as well as to prevent such violence.

329. Noting that over 50 per cent of recent university graduates were women, the Committee is nevertheless concerned at the degree of segregation in the educational specialization of women and men and at the low percentage of women in the higher levels of the teaching professions and academia.

330. The Committee recommends the adoption of temporary special measures aimed at increasing de facto equality between women and men within the meaning of article 4, paragraph 1 of the Convention, to increase the number of women in non-traditional areas of education, especially in science, technology and engineering, and to promote women from junior and auxiliary positions in teaching and academia to senior positions. It urges the Government to address the perpetuation of gender stereotypes and to allocate adequate resources for gender studies programmes.

331. Noting the growing participation of women in the formal economy and the low level of unemployment of women, the Committee is nonetheless concerned about the large discrepancies in wages earned by men and women. The Committee is also concerned about the highly disproportionate number of women in the lowest wage levels, especially given the absence of minimum wage laws. The Committee is also concerned that the contraction of the manufacturing sector affects particularly low-skilled women.

332. The Committee recommends that the principle of equal pay for work of equal value be included in relevant legislation and that criteria be established to determine the measure of equal value in a largely gender-segregated labour market.

333. The Committee encourages the Government to review regularly the reservations entered to the Convention. It urges the Government to amend all laws that are incompatible with the Convention, including those relating to immigration and to pension schemes, with a view to removing the relevant reservations. In particular, it encourages the Government to eliminate discrimination against indigenous women following its review of the small house policy. The Committee also encourages the Government to re-examine the reservation relating to the favourable treatment of women in respect of labour law protection of pregnancy and maternity, which might well be in accordance with articles 4, paragraph 1, and 11, paragraph 2, of the Convention, as well as that regarding religious denominations.

334. The Committee invites the Government to hold public consultations with non-governmental organizations in the process of the implementation of the Convention and when preparing its second periodic report.

335. The Committee requests the Government of China and the Government of the Hong Kong Special Administrative Region to provide information addressing the concerns raised in the present concluding comments in the next periodic report required under article 18 of the Convention.

336. The Committee requests the wide dissemination in China and the Hong Kong Special Administrative Region of the present concluding comments, in order to make the people of China and the Region, and particularly its government administrators, politicians and senior level cadres aware of the steps that had been taken to ensure *de jure* and de facto equality for women and further steps that are required in that regard. It also requests the Government to continue to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

4. Fourth periodic reports

Colombia

337. The Committee considered the fourth periodic report of Colombia (CEDAW/C/COL/4) at its 422nd and 423rd meetings, on 3 February 1999 (see CEDAW/C/SR.422 and 423).

Introduction by the State party

338. In introducing the report, the representative underlined the commitment of the Government of Colombia to the goal of gender equality. She noted that that commitment was manifested in the Plan for Equal Opportunities between Women and Men, which was in the process of being adopted and which was part of the National Plan for Development.

The coordinating institution for the plan would be the National Office for Equality for Women, the government agency responsible for coordinating activities to promote the equality and participation of women. The Plan would be a significant part of the implementation of the international commitments for the advancement of women, including the Beijing Platform for Action.

339. The representative indicated that article 13 of the 1991 Constitution incorporated the concept of equality between women and men as a fundamental right. She also noted that article 93 of the Constitution provided that treaties took precedence over domestic legislation and were drawn on the interpretation of the Bill of Rights.

340. Among the constitutional mechanisms to ensure the effective exercise of human rights in Colombia was *acción de tutela*, which allowed individuals to seek protection of fundamental human rights in the courts. Laws could also be brought before the courts and declared unconstitutional. The representative noted that a large body of jurisprudence with regard to human rights had developed over the eight years since the adoption of the 1991 Constitution.

341. The representative informed the Committee that recent activities of the National Office for Equality for Women had included support to women's organizations in activities to promote political participation and citizenship, the strengthening of women's networks, as well as the discussion with women's organizations on the National Development Plan, 1998–2002.

342. The representative indicated that Law 294 on violence in the family had been adopted in 1996 and that the Inter-American Convention for the Prevention, Punishment and Eradication of Violence against Women had also been ratified. She also described Law 360, adopted in 1997, which increased penalties for violence. In addition, the title of the chapter of the Penal Code relating to sexual crimes had been amended to emphasize such crimes as the violation of personal freedom and dignity, rather than morals.

343. The representative noted that displaced women faced significant problems, including violence, and that the Government had introduced the National Plan for Attention to the Displaced Population to give priority attention to their needs. She also described the effects of armed conflict on women.

344. The representative informed the Committee that women's representation in public life in Colombia was still low, but that the President had recently appointed two women ministers. While there had been some increase in the enrolment of girls at the primary level, their educational level was still lower than boys. Initiatives to improve girls' access to education included a project to address stereotyped textbooks and promote coeducation.

345. The representative noted that an increasing number of women were entering the labour market, in particular in urban areas. However, despite their level of education, they received lower wages than men and occupied fewer decision-making positions. In addition, women were affected by unemployment.

346. The representative indicated that life expectancy was 64.3 years for men and 73.24 years for women. The Government had adopted a series of measures with regard to sexual and reproductive health in the General System of Social Security in Health and had launched several information campaigns, including on HIV/AIDS prevention.

347. The representative emphasized that important advances had been made to integrate the gender perspective in the rural sector.

Concluding comments of the Committee

348. The Committee expresses its appreciation to the Government of Colombia for its fourth report, which contains a comprehensive, candid and critical account of the progress that has been achieved since the submission of the previous report. The report describes the difficulties and obstacles that still impede the implementation of the Convention and the programmes that have been implemented to promote the advancement of women and the exercise of their rights.

349. The presence of the delegation headed by the Director of the National Office for Equality for Women, at a time when the country is suffering the consequences of a disaster caused by an earthquake that has plunged the nation into a terrible tragedy, is testimony to the importance that the Government of Colombia attaches to the Convention. The Committee deeply appreciates this gesture, which underscores the political will of the Government to improve the status of women in Colombia.

350. The Committee expresses its appreciation for the comprehensive replies to the questions that have been asked and for the fruitful dialogue, which has contributed to a better understanding of the situation of women in Colombia and to an in-depth review of the implementation of each article of the Convention.

351. The Committee appreciates the fact that the Government of Colombia supports the adoption of an optional protocol to the Convention.

Positive aspects

352. The Committee notes that the Convention can be invoked in national courts, since it enjoys precedence within the domestic legal order and thus prevails in situations of conflict of laws.

353. The Committee takes note of the significant progress that has been achieved with the adoption of legislative measures for the protection of women. The 1991 Constitution provides for the equality of men and women before the law and defines discrimination. In accordance with the Constitution, important social legislation has been enacted, including legislation on education, social security, dissolution of religious marriages, protection of women heads of household and punishment of sexual abuse and domestic violence.

354. The Committee notes that the *acción de tutela* or *amparo* have been increasingly used by women as a constitutional means of protecting their rights. The Ombudsman's Office has also been created along with a special unit for the protection of the rights of children, women and the elderly, which assists the Ombudsman's Office by playing a positive role in requesting reviews of *acción de tutela*.

355. The Committee welcomes the creation by the Government of national machinery, namely, the National Office for Equality for Women, which is attached to the Office of the President of the Republic and advises the Government in that field. The National Office can also propose policies and programmes and works in coordination with various women's non-governmental organizations.

356. The Committee notes that primary school enrolment rates have increased, that the rate of female illiteracy has declined and that the Ten-Year Education Plan, 1996–2005, has placed special emphasis on the objective of eliminating all situations of gender discrimination or exclusion, including the introduction of the gender dimension in the education system. Research and consultation have also been carried out to document the issue of equality of men and women, and a strategy of awareness-raising is being developed for publishers of school textbooks, with a view to eradicating gender stereotypes.

Factors and difficulties affecting the implementation of the Convention

357. The social and economic reality of Colombia remains a serious obstacle to the full participation and advancement of women in society, as well as to the implementation of the Convention. As a result of economic restructuring and adjustment policies, which take little account of social development, over half of the population of Colombia lives below the poverty line. In addition, inequitable patterns of income distribution as well as substantial differences between the urban and rural areas, impede the implementation of the Convention.

358. The Committee notes with concern the persistence of widespread violence as a result of the armed conflict in the country. Women are the principal victims and there are tens of thousands of displaced women and female heads of household who lack the resources needed for their survival in a situation in which they are called upon to assume greater responsibilities, both reproductive and productive, towards their families and communities.

Principal areas of concern and recommendations

359. The Committee notes with concern that little has been done to disseminate the text of the Convention, as required under the constitutional provisions governing the rights of women, and of the supplementary legislation that has been enacted.

360. The Committee recommends that steps be taken to disseminate those norms and to educate the general population, particularly women, about the law as an essential step towards enabling them to learn about and defend their rights.

361. The Committee calls attention to the gaps that exist in follow-up and control mechanisms in the current legislation. There is no effective machinery to enforce compliance with court rulings, nor are there any studies or assessments relating to compliance with legislation on women.

362. The Committee recommends that practical measures on the follow-up and monitoring of legislation be taken, that assessments of their effectiveness be carried out and that mechanisms guaranteeing compliance with court rulings be created.

363. The Committee points out that there has been no systematic development of training programmes for government, State or court officials or for police forces responsible for the implementation of the rules and procedures relating to compliance with the law and the implementation of the Convention.

364. The Committee recommends the introduction of training programmes for all those officially responsible for ensuring compliance with current legislation.

365. The Committee is concerned at the level of authority and rank accorded to the Government's national advisory

machinery, which limits its functions to proposing policies and programmes.

366. The Committee recommends that the Government consider strengthening the role of the National Office for Equality for Women, by means of a national law raising its status to that of an autonomous body with all the requisite powers and resources to be able to exercise more effective influence in Colombian society.

367. The Committee notes with concern that, although various programmes for the benefit of women are in place, the economic adjustment programmes restrict public expenditure, thus limiting the availability of resources, which in turn hinders the incorporation of women's interests in State policies and programmes.

368. The Committee recommends that in the allocation of budgetary resources priority be given to the needs of women, especially women of limited means, including access to employment, education and public services, since social investment in women constitutes one of the most effective means of combating poverty and promoting sustainable development.

369. The Committee notes that despite the efforts made it has not proved possible to incorporate in legislation temporary special measures aimed at accelerating de facto equality between women and men within article 4, paragraph 1, of the Convention so as to ensure women's political participation, under the Constitution, because it is seen as discriminatory and there is clearly resistance on the part of legislative, executive and judicial bodies to their being put into effect.

370. The Committee recommends that consideration be given to the possibility of adopting temporary special measures in accordance with article 4, paragraph 1, of the Convention, to promote the increased integration of women in decision-making in the country's administrative and political life.

371. The Committee recognizes the difficulties faced by the Government in putting law and order into effect in a situation of internal conflict and paramilitary violence. It takes note of the incidence of violence directed against women in custody, including cases of kidnapping and disappearances. Moreover, it notes with concern the increasing danger in which the individuals forming organizations promoting human rights in Colombia find themselves.

372. The Committee urges the Government of Colombia to establish an effective national mechanism, including complaints procedures, that will ensure that those guilty of criminal conduct, both State officials and private individuals, stand trial. The Committee recommends that the Government step up security measures for all those who promote and defend human rights, especially in view of kidnappings and other acts that constitute an assault on physical integrity, with particular attention to the situation of women.

373. The Committee is concerned that, despite the efforts that have been made, the Government's ability to ensure compliance with the rules providing for punishment for domestic violence is restricted. Moreover, the family commissions do not have the necessary human or financial resources to carry out their mandate and there is no systematic supervision of their work by the relevant government body. As a result, efforts to help victims are inadequate. The Committee stresses that, since a human rights issue is involved, it is the Government's responsibility to act to reduce violence against women, investigate cases and give treatment and support to the victims of violence.

374. The Committee recommends that effective measures be taken to ensure compliance with the law and that due attention be paid to the family commissions to enable them to carry out their functions.

375. The Committee is concerned that there is currently before Congress a bill to decriminalize domestic violence at both the civil and criminal level, passing responsibility for dealing with these human rights violations to an administrative court.

376. The Committee recommends that the bill be reassessed, since it represents a step backwards from the progress achieved by the country in legislative terms in tackling and confronting the problem of domestic violence and sexual abuse.

377. The Committee is concerned that, although national legislation condemns inhuman and degrading treatment, many women are forced to become prostitutes in order to survive and there is traffic in women. Preventive mechanisms are lacking and the State has little capacity to confront the national and international criminal organizations engaged in procurement, which operate with a high degree of impunity.

378. The Committee recommends that the Interinstitutional Committee that has taken various measures to prevent and punish traffic in women should organize a more energetic and effective work strategy in order to deal with this serious phenomenon.

379. The Committee is extremely concerned at the situation of street children, in particular girls, with respect to their human rights and physical integrity.

380. The Committee recommends that the needs of street children, especially girls, be integrated systematically into all poverty-eradication, social-development and anti-violence plans and programmes.

381. The Committee notes that no systematic effort is being made to counter discriminatory cultural traditions and change sexist stereotypes and that the media continue to project stereotyped images of women.

382. The Committee recommends that a systematic effort be made to educate the population on gender issues by all possible methods and in all sectors and that programmes be developed with the aim of raising the awareness of media personnel with respect to equality of men and women, with a view to eradicating sexist stereotypes in all media.

383. The Committee notes that there is little participation by women in management and decision-making bodies and that there is a lack of specific measures to promote their participation.

384. The Committee recommends that statistics be disaggregated by sex, in a systematic manner, and included in the next periodic report and that steps be taken to guarantee greater involvement of women in decision-making.

385. The Committee is concerned that the school drop-out rate of girls and young women remains high and that the causes of this high rate are linked to sexist stereotypes and that, in addition, the vocational choices made by women when they enter higher education are still gender-differentiated.

386. The Committee recommends that regulations, programmes and other measures, including career counselling, be put in place to prevent girls and young women from dropping out of school and to reverse the trend of high female drop-out rates. It recommends the introduction of vocational programmes to promote the access of women and men to all careers.

387. The Committee notes with concern that women constitute the majority of the unemployed and that the majority of women work in the informal and service sectors, frequently as domestic workers. It notes that within these groups, women receive the lowest wages, and that there are gaps in the level of pay received by women and men for equal work and work of equal value.

388. The Committee recommends that appropriate measures be taken to improve the status of working women, including through the establishment of child-care centres and the introduction of training programmes to promote the integration of women into the labour force and to diversify their participation, through the implementation of legislative measures and through greater efforts to achieve equal pay for work of equal value.

389. The Committee is concerned that, although maternity protection is ensured by law and provision is made for maternity leave in the relevant legislation, the law is sometimes broken and women must meet certain requirements in order to have access to jobs, such as undergoing pregnancy tests.

390. The Committee recommends that steps be taken to ensure compliance with the law and that those who engage in such discriminatory practices are punished. It also reiterates that women must be made aware of their rights through wider dissemination of legislation providing protection for them as workers.

391. While welcoming the preventive measures taken by the Government, including the fact that it has set a minimum age for employment, the Committee notes with concern how widespread child labour is in Colombia, since it leads to the exploitation of girls and the violation of their rights to health, education and future opportunities.

392. The Committee urges the Government to adopt and implement a compulsory education policy, since such a policy is one of the most effective ways of ensuring that girls do not work during school hours.

393. The Committee notes with great concern that abortion, which is the second cause of maternal deaths in Colombia, is punishable as an illegal act. No exceptions are made to that prohibition, including where the mother's life is in danger or to safeguard her physical or mental health or in cases where the mother has been raped. The Committee is also concerned that women who seek treatment for induced abortions, women who seek an illegal abortion and the doctors who perform them are subject to prosecution. The Committee believes that legal provisions on abortion constitute a violation of the rights of women to health and life and of article 12 of the Convention.

394. The Committee calls upon the Government to consider taking immediate action to provide for derogations from this legislation. Furthermore, it asks the Government to provide regular statistics on maternal mortality by region.

395. The Committee is concerned that sterilization is the most widely used family planning method. It believes that it might be unnecessary to make such widespread use of sterilization if couples were better informed and instructed in the use of family planning methods and had ready access to contraceptives.

396. The Committee recommends that information on the use of contraceptives be more widely disseminated, that the necessary effort be made to ensure that women, including women in the most vulnerable population segments, have access to affordable contraceptives, and that action be taken to promote the use of contraception by men, particularly vasectomy.

397. The Committee is concerned at the situation of women in rural areas, where there is a considerable lag in basic services infrastructure, low health and education coverage, and lower quality of life for most of the population. These factors are an obstacle to integrating women in development and ending their difficult living conditions, which, together with violence, are responsible for rural women being one of the population groups that are most vulnerable and subject to discrimination.

398. The Committee recommends that existing programmes be expanded with a view to improving the status of rural women, particularly among displaced populations, and that attention be focused as a matter of priority, on rural women with a view to improving their health, education and quality-of-life indicators.

399. The Committee recommends that those involved in planning and programme implementation receive gender-sensitive training. It recommends the introduction of micro-credit programmes to improve the economic situation of women, as well as programmes to improve the enjoyment by rural women and displaced women of their human rights to health and education.

400. The Committee requests the Government of Colombia to provide information addressing the concerns raised in the present concluding comments in the next periodic report required under article 18 of the Convention.

401. The Committee requests the wide dissemination in Colombia of the present concluding comments, in order to make the people of Colombia, and in particular government administrators and politicians, aware of the steps that have been taken to ensure *de jure* and de facto equality for women and the further steps that are required in that regard. It also requests the Government to disseminate widely, and in particular to women's and human rights organizations, the Convention, the Committee's general recommendations and the Beijing Declaration and Platform for Action.

Chapter V
Ways and means of expediting the work of the Committee

402. The Committee considered ways and means of expediting the work of the Committee (agenda item 8) at its 405th meeting, on 19 January 1999.

403. The item was introduced by the Chief of the Women's Rights Unit of the Division for the Advancement of Women, who introduced the report of the Secretariat (CEDAW/C/1999/I/4) and a working paper containing draft rules of procedure (CEDAW/C/1997/WG.I/WP.1).

Action taken by the Committee on the report of Working Group I

404. At its 424th meeting, on 5 February 1999, the Committee considered the item on the basis of the report of Working Group I (CEDAW/C/1999/I/WG.I/WP.1) and took the following decisions.

1. States parties presentation of initial reports

405. The Committee decided that, in introducing their initial reports, States parties should provide an oral presentation updating their written reports that should be no longer than the time allotted for presentation (i.e., 45 minutes) indicated in the Committee's programme of work and in the *Journal of the United Nations*.

406. The Committee reiterated its decision 16/III, in which it decided, on an exceptional basis and as a temporary measure, to invite States parties to combine a maximum of two reports. When a State party's initial report is long overdue, the Committee decided to consider a revised reporting schedule with regard to that State party's periodic reports at the session at which it presents its initial report, and to inform the State party accordingly.

2. States parties presentation of periodic reports

407. The Committee decided that, in introducing their periodic reports, States parties should provide an oral presentation updating their written reports that should not exceed 60 minutes. The time limit for the oral presentation should be reflected in the Committee's programme of work and in the *Journal of the United Nations*.

408. The Committee decided that, following their introductory statements, States parties presenting periodic reports should be prepared to engage in an open and in-depth

dialogue, including questions and immediate answers, with the Committee.

3. Pre-session working group

409. The Committee decided that, in its formulation of the lists of issues and questions with regard to periodic reports, the pre-session working group should concentrate on major issues and trends and should limit the number of issues and questions so as to encourage constructive dialogue between the Committee and States parties during the presentation of reports.

410. The Committee decided that the Secretariat should continue to provide to the pre-session working group draft lists of issues and questions with regard to periodic reports of States parties, based on a comparison of current reports with earlier reports and the Committee's consideration of those reports and other relevant information, including concluding observations of other treaty bodies. The Committee decided that the Secretariat should also continue to provide information to the pre-session working group on human rights treaties ratified by reporting States parties, as well as the text of any reservations entered to those treaties, in particular to the Convention on the Elimination of All Forms of Discrimination against Women, the text of the Committee's and other treaty bodies' concluding comments on previous reports of States parties and the available summary records of the consideration of those States parties' reports by the Committee and any comments of the Special Rapporteur on Violence against Women with regard to those States parties. In addition, the Committee decided that the Secretariat should continue to provide the reports of the country rapporteurs assigned to periodic reports to the pre-session working group.

411. The Committee reaffirmed it's decision 18/I concerning participation in the pre-session working group, in which it decided that representatives of the specialized agencies and bodies of the United Nations, as well as national and international non-governmental organizations, should be invited to provide country-specific information to the pre-session working group on those States parties whose reports were before the group.

412. The Committee decided to designate reports to be considered at least two sessions in advance. Country rapporteurs, who should normally be from the same region, would also be designated well in advance. The Secretariat should immediately inform those States parties that had been designated by the Committee to report. States parties presenting periodic reports should be entitled to submit further reports or information no later than two and a half months prior to the pre-session working group that would be considering those reports.

413. The Committee decided that the list of issues and questions with respect to periodic reports should normally be sent to States parties presenting their periodic reports within two weeks of the conclusion of the pre-session working group. It also decided that States parties should submit their written answers no later than four weeks after receipt of the list of issues and questions. States parties' answers should normally be submitted for translation so as to be available to Committee members at least four weeks before the session at which the relevant reports were to be considered.

414. The Committee requested that the Secretariat examine the practice of other treaty bodies in cases where the next periodic report of a State party to be considered by the pre-session working group was due or would fall due shortly after its earlier periodic report was considered by the pre-session working group and extensive and satisfactory replies to the list of issues and questions were provided. Information on this issue should be provided to the Committee in the report on ways and means of expediting the work of the Committee to be presented to the Committee at its twenty-first session.

4. Receipt of reports by experts

415. The Committee requested that the Secretariat make its best efforts to ensure receipt of reports by experts at least eight weeks prior to the session at which such reports were to be considered by the Committee.

416. The Committee decided that the Secretariat should inform experts as soon as possible when a State party nominated by the Committee to present its report indicated that it would be unable to present its report.

5. Report to the Commission on the Status of Women on the implementation of the Beijing Platform for Action

417. The Committee decided to revise its report on the implementation of the Beijing Platform for Action based on its review of reports of States parties (see General Assembly resolution 52/231, para. 12) and to incorporate relevant discussion at the twentieth session of the Committee. It also decided that the report should be amended to reflect the stress placed in the Platform for Action on the importance of universal ratification of the Convention and the acceptance of the amendment to article 20, paragraph 1, of the Convention, as well as to underscore the Committee's concern in regard to economic restructuring and its effects

on the implementation of the Convention and the Platform for Action.

6. Draft rules of procedure

418. The Committee designated Ms. Silvia Cartwright to review the draft rules of procedure contained in document CEDAW/ C/1997/WG.I/WP.1 and to submit her proposals to the Committee for its consideration at its twenty-first session.

7. Matters raised at the tenth meeting of persons chairing the human rights treaty bodies

Universal ratification

419. The Committee decided to endorse the plan of the United Nations High Commissioner for Human Rights for a concerted and comprehensive campaign for universal ratification of human rights treaties, particularly in the context of the target set in the Beijing Platform for Action and the twentieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women. It recommended that in her statement to the Commission on Human Rights, the Chairperson of the Committee on the Elimination of Discrimination against Women urge universal ratification of the Convention. It also recommended that the Chairperson renew efforts to seek the support of the heads of specialized agencies and other organizations of the United Nations system in the campaign for universal ratification. In addition, it recommended that the Special Adviser on Gender Issues and Advancement of Women and the Division for the Advancement of Women continue to strengthen their efforts to encourage universal ratification and the fulfilment of their reporting obligations by States parties.

Focused periodic reports

420. The Committee decided to postpone consideration of the question of focused periodic reports until a review had been made of the Committee's working methods as a result of the changed timing of the pre-session working group.

Reservations

421. The Committee decided that the Chairperson of the Committee on the Elimination of Discrimination against Women should outline the Committee's work on reservations and reiterate the Committee's concern with regard to the compatibility of some reservations to the object and purposes of the Convention to the Special Rapporteur on reservations of the International Law Commission. It also decided that the Chairperson should provide this material to Françoise Hampson, the expert of the Subcommission on Prevention of Discrimination and Protection of Minorities who is preparing a study on reservations.

8. Meeting of the persons chairing the human rights treaty bodies

422. The Committee decided that the agenda of the meeting of the persons chairing the human rights treaty bodies should be sent in advance to members of the Committee to allow them to provide advice on the matters raised therein prior to the meeting, if they wished, to the Chairperson of the Committee. The Committee also decided that the report of the chairpersons meeting should be provided to all members of the Committee, if possible, before the session after the chairpersons meeting, and that the Chairperson should provide a written and oral report of the meeting at that session of the Committee.

9. Information for the Committee

423. The Committee recommended that the Secretariat provide to the Committee information on relevant human rights activities within the United Nations in a twice yearly newsletter.

10. Work of the Committee

424. The Committee recommended that the Secretariat continue to compile the serial *Work of CEDAW*, including with regard to past years. It also recommended that the Secretariat examine ways and means of producing past and future volumes in electronic form.

11. Reports to be considered at future sessions

425. Bearing in mind the criteria of date of submission, geographical balance and reports delayed from earlier sessions, the Committee decided to consider the following reports at its twenty-first, twenty-second and twenty-third sessions:

Twenty-first session

Initial report

Belize

Nepal

Georgia

Second and third reports

Chile

Ireland (combined second and third reports)

Third and fourth reports

Spain

United Kingdom of Great Britain and Northern Ireland

Twenty-second session

Initial report

India

Jordan

Second report

Equatorial Guinea

Uruguay

Combined second and third periodic reports

Burkina Faso

Combined second, third and fourth periodic reports

Germany

Third report

Belarus

Luxembourg

Finland

Fourth report

Sweden

In the event that one of the above-mentioned States parties should be unable to present its report, the Committee will consider the fourth periodic report of Denmark.

Twenty-third session

Initial report

Republic of Moldova

Second report

Netherlands

Third report

Egypt

Jamaica

Libyan Arab Jamahiriya

Combined third and fourth periodic reports

Austria

Fourth report

Denmark

Romania

12. Members of the pre-session working group for the twenty-first session

426. The Committee decided that the members of the pre-session working group for the twenty-first session and their alternates should be:

Member

Ms. Ahoua Ouedraogou (Africa)

Ms. Ivanka Corti (Europe)

Ms. Rosalyn Hazelle (Latin America and the Caribbean)

Alternate

Ms. Kongit Sinegiorgis (Africa)

Ms. Carmel Shalev (Europe)

Ms. Zelmira Regazzoli (Latin America and the Caribbean)

427. The Committee decided to delegate the task of nominating the fourth member of the working group to the Chairperson in consultation with the Bureau of the Committee.

13. United Nations meetings to be attended by the Chairperson or members of the Committee in 1999

428. The Committee recommended that the Chairperson or an alternate should attend the following meetings:

(a) Commission on the Status of Women at its forty-third session;

(b) Commission on Human Rights at its fifty-fifth session;

(c) The eleventh meeting of persons chairing the human rights treaty bodies;

(d) General Assembly at tis fifty-fourth session (Third Committee).

14. Dates of the twenty-first session of the Committee

429. Consistent with the calendar of conferences for 1999, the twenty-first session should be held from 7 to 25 June 1999. The pre-session working group for the twenty-second session will meet from 28 June to 2 July 1999.

Chapter VI
Implementation of article 21 of the Convention

430. The Committee considered the implementation of article 21 of the Convention (agenda item 7) at its 405th meeting, on 19 January 1999 and at a closed meeting on 20 January 1999.

431. The item was presented by the Deputy Director of the Division for the Advancement of women, who introduced the following items:

(a) Draft general recommendation on article 12 of the Convention (CEDAW/C/1999/WG.II/WP.2);

(b) Note by the Secretary-General on reports of the specialized agencies on the implementation of the Convention in areas falling within the scope of their activities (CEDAW/C/1999/I/3 and Add.1–4).

Action taken by the Committee on the report of Working Group II

432. At its 424th meeting, on 5 February 1999, the Committee took the following action on the basis of the report of Working Group II.

1. General recommendation on article 12

433. The Committee adopted the draft general recommendation on article 12 contained in document CEDAW/C/1999/I/WG.II/WP.2/Rev.1 (see chap. I.A of the present report).

2. Long-term programme of work on general recommendations

434. The Committee decided to take up articles 4 and 2 in its long-term programme of work on general recommendations. Work on a general recommendation on article 4 would begin at its twenty-second session, in January 2000.

3. Publicity for the work of the Committee

435. The Committee decided that the Department of Public Information of the Secretariat should make its best effort to ensure that all United Nations information centres were informed of the reports to be taken up by the Committee at its sessions. It also recommended that the Department make its best effort to ensure that the information centres received the concluding comments of the Committee as soon as possible and were encouraged to disseminate the concluding comments in the relevant States. The Division for the Advancement of Women should make its best effort to inform regional commissions and regional intergovernmental organizations, of the reports to be considered at the sessions of the Committee and to provide those bodies with relevant concluding comments of the Committee.

4. Twentieth anniversary of the adoption of the Convention

436. The Committee decided that the twentieth anniversary of the adoption of the Convention on the Elimination of All Forms of Discrimination against Women should be marked by a number of events, including a seminar or conference, with the participation of representatives of Governments and non-governmental organizations as well as members of the Committee. It also decided to hold a special meeting with the participation of the Secretary-General and the Special Adviser on Gender Issues and Advancement of Women and a round table with former chairpersons and members of the Committee and members of other treaty bodies. Events could also include a panel discussion on universal ratification and a panel discussion with the Secretaries-General of the four conferences on women highlighting the importance and impact of the Convention at the national level. In addition, the Chairperson of the Committee could facilitate a discussion on reservations with delegates attending the Third Committee of the General Assembly in 1999. The Committee decided that the Bureau and the Chairperson of Working Group II should work closely with the Secretariat to organize an event during the twenty-first session of the Committee within existing resources and with any extrabudgetary resources that might be provided in this connection.

Chapter VII
Provisional agenda for the twenty-first session

437. The Committee considered the provisional agenda for its twenty-first session (agenda item 9) at its 424th meeting, on 5 February 1999. The Committee decided to approve the following provisional agenda:

1. Opening of the session.
2. Adoption of the agenda and organization of work.

3. Report of the Chairperson on activities undertaken between the twentieth and twenty-first session of the Committee.

4. Consideration of reports submitted by States parties under article 18 of the Convention on the Elimination of All Forms of Discrimination against Women.

5. Implementation of article 21 of the Convention on the Elimination of All Forms of Discrimination against Women.

6. Ways and means of expediting the work of the Committee.

7. Provisional agenda for the twenty-second session.

8. Adoption of the report of the Committee on its twenty-first session.

Chapter VIII
Adoption of the report

438. At its 424th meeting, on 5 February 1999, the Committee adopted the report on its twentieth session (CEDAW/C/1999/I/L.1 and Add.1–8, as orally amended).